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Defendant

IN THE COURT  
COUNTY OF MARICOPA, STATE OF ARIZONA

STATE OF ARIZONA, )  
 )  
 Plaintiff, )  
 vs. )  
 )  
 )  
 Defendant. )

Case No.  
  
MOTION TO SET ASIDE  
DEFAULT JUDGMENT

Defendant moves this court to set aside the default judgment entered in this matter for the reason that defendant was not served and the court does not have jurisdiction to enter judgment and/or for such other reasons as described here.

The pertinent facts are further described here:

The judgment entered under the circumstances listed here and without proper jurisdiction is void and the defendant is entitled to relief. A judgment or order is void if

1 the court lacked jurisdiction over the subject matter, over the person, or over the  
2 particular judgment or order entered. **Master Financial, Inv. v. Woodburn**, 1 CA-SA  
3 04-0052, 90 P.3d 1236, 427 Ariz. Adv. Rep. 36, 426 Ariz. Adv. Rep. 38 (App. 2004).

4 Rule 23, Arizona Rules of Civil Traffic Violation Procedure allows a judge to set  
5 aside a default judgment “for good cause or any other reason necessary to prevent a  
6 manifest injustice.”  
7

8 In the interest of justice and to prevent a manifest injustice the defendant  
9 requests that the default judgment be set aside and that the complaint be dismissed and  
10 for such other and further relief as appropriate.

11 RESPECTFULLY SUBMITTED this date:

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15 Defendant  
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