

Small Claims Court _____ County, Colorado Court Address: _____ <hr/> PLAINTIFF(S): _____ v. DEFENDANT(S): _____	<div style="border-top: 1px solid black; border-bottom: 1px solid black; margin: 0 auto; width: 80%;"> ▲ COURT USE ONLY ▲ </div> <hr/> Case Number: _____ Division _____ Courtroom _____
MOTION AND ORDER TO SET ASIDE: <input type="checkbox"/> DISMISSAL <input type="checkbox"/> DEFAULT JUDGMENT	

1. I/We _____, am/are the Plaintiff(s) Defendant(s) in above captioned case.
2. My claim against the Plaintiff(s) Defendant(s) was/were dismissed on _____ date).
 OR
 The Plaintiff(s) Defendant(s) Judgment(s) was/were entered against me on _____ (date).
3. I/We did not appear in Court on the date of the trial or the date of the entry of judgment because:

4. I/We believe I/We can provide the following facts to prove my/our case or to establish my/our defense: _____

- By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.
- By checking this box, I am acknowledging that I have made a change to the original content of this form.

I swear/affirm that I have read the foregoing *MOTION AND ORDER TO SET ASIDE DISMISSAL/DEFAULT JUDGMENT* and that the statements set forth therein are true and correct to the best of my knowledge.

Date: _____ Signature _____

Date: _____ Signature _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of this *MOTION AND ORDER TO SET ASIDE DISMISSAL/DEFAULT JUDGMENT* was served on the other party by:

Hand Delivery E-filed Faxed to this number _____ or by placing it in the United States mail, postage pre-paid, and addressed to the following:

 Signature

FOR COURT USE ONLY BELOW THIS LINE:

ORDER

The Court upon review of the *Motion and Order to Set Aside*: *Dismissal* *Default Judgment*, ORDERS the following:

1. The Motion is **DENIED**.
2. The Motion is **GRANTED**.
3. The Motion is to be heard by the Court on _____ (date). If after the request is heard, and the Court finds that the dismissal or entry of default judgment should be set aside, the Court:
 - will proceed immediately to trial at the conclusion of the hearing; OR
 - will re-schedule the trial for another date.

The parties are advised to bring with them on the said date all evidence and witnesses necessary for the Court Trial.

Date: _____

Judge Magistrate

CERTIFICATE OF SERVICE

I certify that on _____ (date), I delivered a copy of this Order to the following:

Plaintiff and/or **Plaintiff's Attorney:** Hand-Delivered, E-filed, or Mailed to:

Defendant and/or **Defendant's Attorney:** Hand-Delivered, E-filed, or Mailed to:

Other _____: Hand-Delivered, E-filed, or Mailed to:

Clerk Signature: _____