

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT	MOTION AND AFFIDAVIT TO SET ASIDE DEFAULT (CIVIL)	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

Plaintiff's name, address, and telephone no.
Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.
Defendant's attorney, bar no., address, and telephone no.

MOTION AND AFFIDAVIT

1. a. A default was entered against me on _____ for failure to answer. appear.
A judgment has not been entered yet.
 - b. A default judgment was entered against me on _____ for failure to answer. appear
and 21 days has not yet passed since that default judgment date.
 - c. 21 days has passed since the default judgment was entered, but I was not personally served the summons and
complaint.
2. a. The court lacks jurisdiction because I was not served with the summons and complaint.
 - b. I have good cause for my failure to appear/answer. I did not appear or answer because: (Attach a separate sheet if
needed.)

I have a meritorious (valid) defense for the claim. My defense is: (Attach a separate sheet if needed.)

3. **I ask** the court to set aside the default/default judgment in this case. If required, I agree to appear on the date
scheduled by the court to state my reasons for this request.
4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this
affidavit.

Applicant/Attorney signature Bar no. _____

Subscribed and sworn to before me on _____
Date

Deputy clerk/Notary public signature

My commission expires on _____
Name (type or print)

Notary public, State of Michigan, County of _____ Acting in the County of _____

This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

To be completed by the court.

NOTICE OF HEARING ON MOTION TO SET ASIDE DEFAULT

A hearing will be held on _____ at _____
Date and time Location

before Hon. _____
Bar no.

Deputy court clerk signature and date

CERTIFICATE OF MAILING

I served a copy of this motion and notice of hearing on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Signature