



# North Smithfield Municipal Court

Court Location:  
13 Main Street  
Slatersville, RI 02876

Clerk's Office:  
575 Smithfield Road  
North Smithfield, RI 02896  
Tel: 401-356-0564

## MOTION TO VACATE DEFAULT JUDGMENT

**FOR NSMC USE ONLY**

Summons #:  
**0** \_\_\_\_\_

Respondent's Name and address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone# \_\_\_\_\_

Respondent's License #:

DATE FILED: _____	
APPROVED: _____	DENIED: _____
BY: _____	DATE: _____
COURT DATE: _____	
<b>COURT DATE ACKNOWLEDGEMENT</b>	
_____ MOTORIST SIGNATURE	_____ DATE
<i>Must be signed within 10 days of Judge's approval for action to be deemed valid.</i>	

**ALL MOTIONS MUST BE RETURNED & BE ON FILE WITH THE COURT WITHIN 10 DAYS OF JUDGEMENT**

- I understand that I must submit a separate Motion to Vacate for each hearing date missed.
- I understand that in order to have the default judgment entered against me vacated, I must:
  - Fill out the above section as well as the Motion to Vacate on page 2, completely and legibly.
  - Date and sign The Motion to Vacate (page 2).
  - Submit any other required paperwork such as a valid Power of Attorney if the summons was issued to a corporation or if it was not issued to me personally.
  - Provide any/all evidence supporting your motion to the court when submitting the Motion to Vacate.
- I understand that this written motion will be reviewed by a judge/magistrate who will make a determination on the motion based upon the declaration and any supporting documentation.
- I understand that the judge will only address the summons(s) listed above.
- I understand that I have been charged with a violation of the Traffic Laws of the State of Rhode Island or Ordinances of the Town of North Smithfield.
- I understand that if my motion is denied, I will have to pay a fine and may be subject to any other penalty ordered by the judge.
- I understand that the judge's decision is final, but if I disagree, I can submit an appeal to the Rhode Island Traffic Tribunal if the motion is denied. However, I must pay all fines prior to filling an appeal. I understand that if I choose to file an appeal, I must do so within ten (10) days of the date of the judge's decision.

## MOTION TO VACATE DEFAULT JUDGEMENT

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I \_\_\_\_\_ declare under penalty of perjury, that the forgoing is true and correct.

1. I was unable to appear on \_\_\_\_\_ at \_\_\_\_\_ for my scheduled hearing because (state your reason for missing the hearing);

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2. My defense to the underlying charge(s) is/are as follows: (state why you are not guilty of the underlying charge(s));

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3. All documents submitted with motion are true and accurate copies of the original, and I understand that these documents will not be returned to me.

Please check here if you have additional sheet/ documentation

Executed on this date: \_\_\_\_\_

\_\_\_\_\_  
Respondent: (print or type name here)

\_\_\_\_\_  
(Sign here)

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