



North Smithfield Municipal Court

Court Location:
13 Main Street
Slatesville, RI 02876

Clerk's Office:
575 Smithfield Road
North Smithfield, RI 02896
Tel: 401-765-5734

MOTION TO VACATE DEFAULT JUDGMENT FOR NSMC USE ONLY

Summons #:

Respondent's Name and address:

Phone#

Respondent's License #:

DATE FILED: _____

APPROVED: _____ DENIED: _____

BY: _____ DATE: _____

COURT DATE: _____

COURT DATE ACKNOWLEDGEMENT

MOTORIST SIGNATURE _____ DATE _____

Must be signed within 10 days of Judge's approval for action to be deemed valid.

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

1. I understand that I must submit a separate Motion to Vacate for each hearing date missed.
2. 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.
3. 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.
4. I understand that the judge will only address the summons(s) listed above.
5. 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.
6. 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.
7. 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

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);

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

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)