

Motion and Affidavit to Set Aside Default

(Form DC 99)

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| STATE OF MICHIGAN JUDICIAL DISTRICT | MOTION AND AFFIDAVIT TO SET ASIDE DEFAULT | CASE NO. |
|--|--|-----------------|

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.

v

Defendant's name, address, and telephone no.

MOTION AND AFFIDAVIT

1. a. A default was entered against me on _____ for failure to answer. appear.

Date

 I was personally served with the default and a judgment has not been entered yet.

 - b. A default judgment was entered against me on _____ for failure to answer. appear.

Date

 I was personally served with the default judgment. 21 days (General Civil)
 21 days (Small Claims) has not yet passed since default entered.
 10 days (Landlord-Tenant)

 - c. Bond in the amount of one month's rent \$ _____ is posted with the court.
2. I have good cause for my failure to appear/answer as follows: (Explain the reasons. Attach a separate sheet if needed.)
3. My defense to the complaint has merit as follows: (Specify the meritorious defense. Attach a separate sheet if needed.)
4. **I request** that the default/default judgment be set aside in this case and, if required, I agree to appear on the date scheduled by the court to state my reasons for this request.

Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____

Notary public, State of Michigan, County of _____

NOTICE OF HEARING

A hearing is scheduled on this matter on _____ at _____
Date Time

at _____ before Hon. _____
Location Bar no.

Date

Signature

CERTIFICATE OF MAILING

I certify that on this date 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 in MCR 2.107(C)(3).

Date

Signature

Approved, SCAO

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|--|------------------------------------|-----------------|
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Plaintiff name

v

Defendant name

2. Reasons Continued.

3. Defense Continued.