

4-834. Motion for judgment and statement of noncompliance.

[For use with Magistrate Court Rule 2-806 NMRA,
Metropolitan Court Rule 3-806 NMRA]

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE MAGISTRATE COURT

_____, Plaintiff,

v. _____ No. _____

_____, Defendant.

**MOTION FOR JUDGMENT AND
STATEMENT OF NONCOMPLIANCE**

I request that the court reopen this case and enter a judgment enforcing the terms of a Mediated Settlement Agreement. In support of this request, I state as follows:

1. The parties entered a Mediated Settlement Agreement, and a Stipulation of Dismissal After Mediated Settlement Agreement was filed on _____ (date).

2. Plaintiff/Defendant has breached the terms of the Mediated Settlement Agreement.

3. A copy of the Mediated Settlement Agreement was filed with the court on _____ (date); or
 A copy of the Mediated Settlement Agreement was not filed, but is attached.

(check all that apply)

4. Under the terms of the Mediated Settlement Agreement, Plaintiff/Defendant agreed to pay \$_____.

Under the terms of the Mediated Settlement Agreement, Plaintiff/Defendant agreed to the following: _____

_____.

(check all that apply)

5. As of today's date, Plaintiff/Defendant has paid a total of \$_____.

As of today's date, Plaintiff/Defendant has done the following: _____

_____.

(check all that apply)

- 6. Under the terms of the Mediated Settlement Agreement, Plaintiff/Defendant still owes a total of \$ _____.
- Under the terms of the Mediated Settlement Agreement, Plaintiff/Defendant still needs to do the following: _____

_____.
- 7. I request that the court reopen this case and enter judgment in the amount listed below and for any other relief that the court deems just and proper.

Payments remaining:	\$ _____
Interest, costs, fees, and other amounts (if allowable):	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total judgment requested:	\$ _____

I affirm under penalty of perjury under the laws of the State of New Mexico that the forgoing is true and correct, on this _____ day of _____, _____.

Signature

Printed Name

Address

City, State, and Zip Code

Phone

STATEMENT OF SERVICE

I declare under penalty of perjury under the laws of the State of New Mexico that I served a copy of this Motion and Statement on the following person(s) by certified mail, postage prepaid, on this _____ day of _____, _____:

Name

Address

City, State, and Zip Code

Name

Address

City, State, and Zip Code

Signature

Printed Name

[Adopted by Supreme Court Order No. 14-8300-012, effective for all cases filed or pending on or after December 31, 2014.]