

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner

CASE NUMBER: DO2

**MOTION AND AFFIDAVIT FOR DEFAULT
WITHOUT HEARING OF:**

DISSOLUTION
 LEGAL SEPARATION

Name of Respondent

HONORABLE: _____

Petitioner requests the Court enter a decree by default without a hearing pursuant to Arizona Rules of Family Law Procedures, Rule 44(B)(1). This motion is based upon the attached affidavit, and seeks entry of an appropriate decree awarding the relief requested in the petition or as agreed to by the parties in writing.

RESPECTFULLY SUBMITTED THIS _____ day of _____, 20 _____

Signature of Petitioner

AFFIDAVIT OF PETITIONER

I, _____, being first duly sworn upon oath, deposes and says:

1. I have read the foregoing motion.
2. Neither party in this matter is either an infant or an incompetent person.
3. a. The respondent has made no appearance in this matter. Petitioner's Application for Default has been filed AND, the Respondent's default has been entered; OR
b. The parties had agreed by written stipulation, if an appearance has been made by the Respondent, that this matter may proceed as if by default.
4. At least one of the parties has lived in the State of Arizona for at least 90 consecutive days prior to the petition being filed.
5. The availability of the services of the "Conciliation Services" of this Court, as provided by A.R.S. §25-381.09, have been met since the filing of the petition, or do not apply.
6. The marriage is irretrievably broken.
7. There are no minor children of the relationship of the parties born before or during the marriage or adopted by the parties during the marriage, and the wife, to affiant's knowledge, is not pregnant.
8. Neither party has any ownership interest in real property (for example, land or a house) wherever situated.
9. The parties waive any right to spousal maintenance.
10. There are no unpaid debts in excess of \$10, 000 incurred by either or both of the parties from the date of the marriage.
11. The total fair market value of community personal property assets, subtracting all debts, is less than \$15,000.00.
12. All of the statements, including those concerning property and debts listed in the petition were true at the time of its filing and remain true as of this date, except these material changes:(If none, write NONE)

13. All the requested relief in the petition is equitable; it is not unfair as to the disposition of property, or allocation of debts.
14. The relief to be awarded in the submitted decree is the same as the relief requested in the petition filed in this matter, or if different, the relief to be awarded has been approved by each party, as reflected in the approved decree.

THEREFORE, I respectfully request this Court sign the submitted decree.

_____ **Date**

_____ **Signature**

State of Arizona)

County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

_____ **Commission Expires**

_____ **Notary Public**