

<b>Spokane Municipal Court County of Spokane, State of Washington</b>	
CITY OF SPOKANE, Plaintiff,  vs  Defendant.	<b>Case No.</b>  <b>MOTION AND DECLARATION FOR ORDER VACATING JUDGMENT</b>  <b>INFRACTION</b>

### I. MOTION

COMES NOW, the defendant in above-captioned matter and moves the Court pursuant to IRLJ 6.7(a) and CRLJ 60 for an order vacating the judgment of "Committed" previously entered in the above-captioned infraction, and setting the case for a ☐ contested hearing, or ☐ mitigation hearing. In support of such motion, the defendant alleges the following basis upon which the Court should grant such relief:

Mistakes, inadvertence, surprise, excusable neglect or irregularity in obtaining a judgment or order;

Erroneous proceedings against a minor or person of unsound mind, when the condition of such defendant does not appear in the record, nor the error in the proceedings;

Newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under rule 59(b)

Fraud, misrepresentation, or other misconduct of an adverse party;

The judgment is void

The judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application;

Unavoidable casualty or misfortune preventing the party from prosecuting or defending;

Error in judgment shown by a minor, within 12 months after arriving at full age;

Any other reason justifying relief from the operation of the judgment.



\_\_\_\_\_  
Signature of Moving Party/Defendant

\_\_\_\_\_  
Date

## DECLARATION

COMES NOW the declarant, who is the defendant in the in the above-captioned matter, and makes the following declaration of facts in support of the basis for relief alleged in declarant's Motion:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at \_\_\_\_\_ on \_\_\_\_\_  
City State Date

\_\_\_\_\_  
Signature of Declarant/Defendant Date

**Contact Information:** (Required for you to be notified of hearing date)

Street Address Telephone e-mail address

City State Zip