



100 Old River Road
P.O. Box 100
Lincoln, Rhode Island 02865

LINCOLN MUNICIPAL COURT
(401) 333-8453

Date: _____

MOTION TO VACATE JUDGEMENT OF FAILURE TO APPEAR OR PAY

MOTORIST'S NAME: _____
LAST FIRST MI

ADDRESS: _____
(Street) (City) (Zip)

PHONE () _____

SUMMONS NUMBER: _____ LICENSE NO. _____

HEARING DATE: _____ 6:00 p.m. Lincoln Municipal Court
(Received from Court Clerk)

I. REASON FOR MOTION: _____

II. I HEREBY CERTIFY THAT I HAVE A VALID DEFENSE TO THE CHARGE(S), WHICH DEFENSE IS AS FOLLOWS:

SIGNATURE OF MOTORIST

CERTIFICATION

I, _____, do hereby certify that I have caused to be forwarded a copy of the above Motion by ordinary mail, postage prepaid or delivered personally to the Lincoln Municipal Court as per article 3 of the Motion Procedure.

Date

Signature of Certification

MOTION TO VACATE JUDGEMENT PROCEDURE

You are filing a Motion to Vacate a Judgment order to change a disposition against when you failed to appear or pay fines on a scheduled court date. This is not an appeal to change a Judge's ruling. To file a Motion to Vacate, you must be made aware of the following procedures:

1. All Motion Forms must be entirely completed correctly, including Summons number, reason for motion and defense.
2. You must forward to the Town of Lincoln Municipal Court Clerk, a copy of the completed motion form.
3. You must certify that you have forwarded to the Lincoln Municipal Court the Motion to Vacate form by completing the lower portion of the Motion to Vacate form marked CERTIFICATION.
4. All completed motions with certification will be submitted to the Clerk or Deputy Clerk(s) of the court within five days.
5. All motions are heard by the judge either by placing the motion to vacate on the motion calendar (end of regular docket) or heard in chamber by the judge.
6. The court will inform all motorists of the decision of the judge to either grant or deny the motion(s) by mail. If a motion is granted, a new court date will be assigned. If a motion is denied, the original judgment will remain; all fines and costs associated with the original judgment will stand.
7. You must appear at court if/when a new court date is scheduled. There will be no continuances or change of court date(s) granted.
8. Failure to appear on a scheduled court date will result in suspension of your license/privilege to drive. Additional court costs will be applied.