

**Name of Person Filing:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**City, State, and Zip Code:** \_\_\_\_\_  
**Phone Number(s):** \_\_\_\_\_  
**ATLAS Number (if applicable):** \_\_\_\_\_  
**State Bar Number (if applicable):** \_\_\_\_\_  
**Representing:**     **Self**         **Petitioner**         **Respondent**  
 (If Attorney, include State Bar Number)

For Clerk's Use Only

## SUPERIOR COURT OF ARIZONA GILA COUNTY

In the Marriage of:

\_\_\_\_\_  
(Name of Petitioner)

Case Number: \_\_\_\_\_

AND

\_\_\_\_\_  
(Name of Respondent)

**MOTION AND AFFIDAVIT FOR DEFAULT  
 DECREE WITHOUT A COURT HEARING**  
 (in cases without children)  
 A.R.F.L.P. 44 (B)(1)(b)

I am the Petitioner and I am asking the court to enter a ***“Decree of Dissolution of Marriage by Default Without a Court Hearing.”*** (A.R.F.L.P. 44 (B)(1)(b)). I have put a check mark in each box in front of the statements below that are true and I understand that if any statement is not true, I cannot get a default decree without a hearing.

- I have read this ***“Motion and Affidavit for Default Decree Without a Court Hearing”*** and to the best of my knowledge everything I have said is true.
- I have paid the filing and service fees or the filing and service fees have been waived or deferred. A copy of the receipt showing payment or a copy of the Order showing that the fees have been waived or deferred is attached.
- To the best of my knowledge, both Petitioner and Respondent are competent and sane.
- At least 60 days have passed since the Respondent was served with the dissolution papers. Service was not done by publication.
- The Respondent has not made an appearance in this matter or filed a ***“Response.”*** I have filed the ***“Application for Default”*** and Default has been entered against the Respondent.
- At the time this action was filed, the Petitioner or the Respondent was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. If this is an action for dissolution of marriage (divorce), the Petitioner or the Respondent was domiciled or stationed in Arizona for more than 90 days.
- Conciliation Services provisions have been met since the filing of the Petition for Dissolution of Marriage or the provisions do not apply. (A.R.S. 25-381.09).
- The marriage is irretrievably broken.
- There are no minor children, common to the parties, who were born before or during the marriage, or who were adopted by the parties during the marriage. The wife, to my knowledge, is not pregnant.

