

## **INSTRUCTIONS ON MOTION FOR DEFAULT JUDGMENT FOR EVICTION**

These forms reference certain South Dakota Codified Laws (SDCL) on eviction matters and all of which can be found here: <https://sdlegislature.gov/Statutes>. Should you have questions on the law, you are highly encouraged to speak with an attorney. Court staff cannot help you interpret the law.

Court employees cannot help you fill out forms or give you legal advice. If you have legal questions, please consult an attorney. You can also call the Legal Form Help Line at 855-784-0004, or email UJS staff at [ujssrlhelp@ujs.state.sd.us](mailto:ujssrlhelp@ujs.state.sd.us) for specific questions on the forms.

**If the tenant(s) has failed to file an Answer to the Summons and Complaint, you may be entitled to a default judgment. The steps below are the process to complete the application for Motion for Default Judgment.**

- Complete the caption.
- Sign and date it.
- File with the Clerk of Court.
- Mail a copy to the Defendant/Tenant(s).
- Complete an Affidavit of Mailing (UJS-115).

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL CIRCUIT

<p>_____ Plaintiff/Landlord</p> <p>v.</p> <p>_____ Defendant/Tenant(s)</p>	<p>FILE NO: _____</p> <p><b>MOTION FOR DEFAULT JUDGMENT (FOR EVICTION)</b></p>
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**COMES NOW** the above-named Plaintiff/Landlord, and pursuant to SDCL§15-6-55, moves this Court to enter a default judgment in favor of Plaintiff and against the above-named Defendant for the relief requested in the complaint on file herein on the ground that the Defendant/Tenant(s) has failed to file an Answer to the complaint, or otherwise plead or appear within the time required by law. This motion is supported by the attached Affidavit in Support of Default and the pleadings and documents filed herein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Plaintiff/Landlord's Signature

\_\_\_\_\_  
Plaintiff/Landlord's Printed Name

\_\_\_\_\_  
Plaintiff/Landlord's Mailing Address

\_\_\_\_\_  
City, State & Zip Code

\_\_\_\_\_  
Plaintiff/Landlord's Phone Number