

APPLICATION TO REOPEN CASE

District Court

Aztec, New Mexico

103 South Oliver Drive, Aztec, NM 87410

Phone: (505) 334-6151

Case No.: D-1116-DM-201000791

Plaintiff: Jacqueline Hackett

Defendant: Clifford Ray Hackett

APPLICATION TO REOPEN CASE

COMES NOW the Defendant, Clifford Ray Hackett, and respectfully submits this Application to Reopen Case pursuant to New Mexico Rules of Civil Procedure, on the grounds of newly discovered evidence that was not available during the original proceedings.

1. Introduction:

- This case pertains to a divorce
- The Defendant has discovered that fraudulent information was submitted by an attorney during the original proceedings, materially impacting the Court's judgment and requiring reconsideration of the award.

2. Nature of the New Evidence:

- The Defendant has obtained evidence that demonstrates the attorney for the opposing party knowingly submitted false or misleading information to the Court.
- The fraudulent information specifically affected the determination of [briefly describe the relevant award, ruling, or outcome].
- This evidence could not reasonably have been discovered or presented during the original proceedings, as it only recently came to light.

3. Legal Grounds:

- Fraud upon the court is a recognized basis for reopening a case under [Insert Applicable Rule, e.g., Rule 60(b)(3) of the New Mexico Rules of Civil Procedure].
- The Court has the inherent authority to rectify judgments obtained through fraudulent means to ensure justice is served.

4. Relief Requested:

- The Defendant respectfully requests the Court grant this Application to Reopen Case to:
 - a. Allow the introduction of the newly discovered evidence.

b. Adjust or modify the prior award to reflect the corrected information.

Respectfully submitted,

Clifford Ray Hackett

Email: 3659745@gmail.com

Address: General Delivery, Barrigada, Guam 96913

Phone: 671-787-2345

DATED: [Insert Date]

AFFIDAVIT OF CLIFFORD RAY HACKETT

District Court

Aztec, New Mexico

Case No.: D-1116-DM-201000791

Plaintiff: Jacqueline Hackett

Defendant: Clifford Ray Hackett

AFFIDAVIT IN SUPPORT OF APPLICATION TO REOPEN CASE

STATE OF NEW MEXICO

COUNTY OF [Insert County Name]

I, Clifford Ray Hackett, being duly sworn, depose and state as follows:

1. I am the Defendant in this case and have personal knowledge of the matters set forth herein.
2. On [Insert Date of Original Judgment], this Court rendered its judgment in the above-referenced case.
3. I recently obtained evidence that fraudulent information was submitted to the Court by the Plaintiff's attorney during the original proceedings.
4. The fraudulent information specifically affected the determination of [describe award or judgment aspect, e.g., spousal support, division of property, etc.].
5. This evidence includes [briefly describe the evidence, e.g., documents, testimony, etc.] and was not available to me during the original proceedings.
6. I believe this new evidence is material to the resolution of this case and necessitates an adjustment of the prior award to reflect accurate information.

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

DATED: [Insert Date]

Clifford Ray Hackett

PROPOSED ORDER GRANTING OR DENYING MOTION TO REOPEN CASE

District Court

Aztec, New Mexico

Case No.: D-1116-DM-201000791

Plaintiff: Jacqueline Hackett

Defendant: Clifford Ray Hackett

ORDER GRANTING OR DENYING MOTION TO REOPEN CASE

THIS MATTER comes before the Court on Defendant Clifford Ray Hackett's Motion to Reopen Case, and the Court, having reviewed the motion and the new evidence of fraud presented, being fully advised in the premises, hereby orders:

1. The Motion is GRANTED.

- This case shall be reopened.
- A hearing is scheduled for [insert date] to review the newly discovered evidence.
- The Court will determine whether adjustments to the prior award are necessary based on the corrected information.

OR

2. The Motion is DENIED.

- The case shall remain closed, and no further proceedings are warranted.

IT IS SO ORDERED.

DATED: [Insert Date]

Hon. [Judge's Name]

District Judge, Aztec, New Mexico