

\_\_\_\_\_  
Full Name of Party Filing Document

\_\_\_\_\_  
Mailing Address (Street or Post Office Box)

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
Telephone

IN THE DISTRICT COURT FOR THE \_\_\_\_\_ JUDICIAL DISTRICT  
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,  
vs.  
\_\_\_\_\_,  
Defendant.

Case No.: \_\_\_\_\_

MOTION AND AFFIDAVIT  
FOR ENTRY OF DEFAULT

STATE OF IDAHO                    )  
  ) ss.  
County of \_\_\_\_\_)

Plaintiff moves this Court for Entry of Default on the grounds that Defendant, having (a) received notice by personal service; or (b) been served by publication, has failed to appear within the time period for answering the Complaint in the above-entitled matter. This motion is made pursuant to Rule 55(a)(1) Idaho Rules of Civil Procedure and the pleadings filed herein.

I swear under oath:

1. I am Plaintiff in this action.
2. Proof of service upon Defendant is on file in this case.
3. Defendant has failed to answer or defend the above-entitled matter as required by law within twenty (20) days of the date of service.
4. Defendant is mentally competent and over the age of eighteen (18) years.
5. [    ] Defendant is not in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003; I know this because \_\_\_\_\_

\_\_\_\_\_  
OR [ ] I am unable to determine whether Defendant is in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003,

OR [ ] Defendant is in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003, and has waived in writing Defendant's rights under the Act.

6. I certify the name of Defendant is \_\_\_\_\_, and the address most likely to give Defendant notice of entry of judgment of default is (address)

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Plaintiff

SUBSCRIBED AND SWORN before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_  
Notary Public for Idaho  
Residing at \_\_\_\_\_  
Commission Expires \_\_\_\_\_