

## APPLICATION AND AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT

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

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_, ALABAMA  
(Circuit or District) (Name of County)

v. \_\_\_\_\_  
Plaintiff Defendant

I, affiant, request that the  clerk of court, or  judge, pursuant to Rule 55(b), Alabama Rules of Civil Procedure (ARCP), enter a default judgment against the above - named defendant,\* in the above case for the defendant's failing to plead, answer, or otherwise defend.

The affiant, \_\_\_\_\_, being duly sworn, states as follows:

1. That the affiant has personal knowledge of the facts set forth in the affidavit.
2. That the defendant was served with a summons and a copy of the Statement of Claim/Complaint on (date) \_\_\_\_\_.
3. That more than \_\_\_\_\_ days have elapsed since the defendant was served with a summons and a copy of the Statement of Claim/Complaint.
4. That the defendant has failed to answer or otherwise defend against the plaintiff's Statement of Claim/Complaint.
5. That this affidavit is executed by the affiant in accordance with Rule 55(b), ARCP, for the purpose of enabling the plaintiff to obtain a **default judgment** against the defendant, for the defendant's failing to answer or otherwise defend against the plaintiff's Statement of Claim/Complaint.
6. That the defendant is not an infant or an incompetent person, and there has been no violation of the provisions of Ala. Code 1975, Chapter 19, Title 5.
7. That the defendant  is  is not in military service.
8. Judgment Conditions:  with  without waiver of exemptions.
9. That the amount of money claimed by the defendant to the plaintiff is  
 THE SUM OF \$ \_\_\_\_\_, which is to be determined as follows:  
Principal Balance \$ \_\_\_\_\_  
Interest \$ \_\_\_\_\_  
Court Costs \$ \_\_\_\_\_  
Attorney Fee \$ \_\_\_\_\_ (if requesting attorney's fees, it must be determined by the judge, not the clerk).

(If provided by contract, note or law)

SPECIFY PROPERTY (Describe, on a separate sheet of paper, property of which the plaintiff demanded right to possession from the defendant in the Statement of Claim/Complaint.)

10. The affiant requests entry of judgment:  By the Court      Name of Affiant: \_\_\_\_\_  
 By the Clerk      Signature of Affiant: \_\_\_\_\_

Sworn To and Subscribed Before Me This      Affiant's Home or Business Address (if not represented by an attorney):  
\_\_\_\_\_

Date: \_\_\_\_\_      \_\_\_\_\_  
City      State      Zip Code

Officer's Signature      Title      Name of Attorney: \_\_\_\_\_  
Signature of Attorney: \_\_\_\_\_

Business Address of Attorney: \_\_\_\_\_  
\_\_\_\_\_      \_\_\_\_\_  
City      State      Zip Code

Default judgment is hereby rendered against the defendant in the amount of \$ \_\_\_\_\_

\_\_\_\_\_      \_\_\_\_\_  
Date      Judge/Clerk

Default judgment is hereby rendered against the defendant and the plaintiff is awarded right to possession of the property sworn to in the affidavit above.

\_\_\_\_\_      \_\_\_\_\_  
Date      Judge/Clerk

### CERTIFICATE OF SERVICE ON OTHER PARTIES

I hereby certify that a copy of this Application, Affidavit, and Entry of Default Judgment has been sent, by first class mail, postage prepaid, to all parties who are not in default in this case.      Signed \_\_\_\_\_

Rule 55, ARCP

\* Separate form shall be completed for each defendant in cases involving multiple defendants.  
Pursuant to Ala. Code 1975, §12-19-71(a) (10), a filing fee is required when seeking a default judgment pursuant to Rule 55(b), ARCP.