State of Alabama Unified Judicial System Form CS-5 Rev. 11/2012	**APPLICATION AND AFFIDAVIT FOR ENTRY OF DEFAULT (PATERNITY/SUPPORT)**	Court Case Number

IN THE _____ **COURT OF** _____**, COUNTY, ALABAMA**
(Circuit or District) *(Name of County)*

_____ v. _____
Plaintiff *Defendant*

☐ I, _____ *(Name of Affiant),* request that the clerk of court, pursuant to Rule 55(a), Alabama Rules of Civil Procedure (Ala.R.Civ.P.), enter a default 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 ☐ Petition for Support ☐ Complaint for Paternity ☐ Petition for Contempt ☐ Partition for Modification on _____ *(date).*
3. That more than _____ days have elapsed since the Defendant was served with a Summons and a copy of the above-checked Petition or Complaint.
4. That the Defendant has failed to answer or otherwise defend against the Plaintiff's Petition or Complaint.
5. That this Affidavit is executed by the Affiant in accordance with Rule 55(a), Ala.R.Civ.P., for the purpose of enabling the plaintiff to obtain **an entry of default** against the Defendant, for the Defendant's failing to answer or otherwise defend against the Plaintiff's Petition or 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 the military service.
8. Pursuant to Rule 55(a), Ala.R.Civ.P., the Affiant requests entry of default.

Signature of Affiant: _____
Affiant's Home or Business Address (if not represented by an attorney):
_____
_____
City *State* *Zip Code*

Sworn To and Subscribed Before Me this

date: _____

_____
Officer's Signature *Title*

Name of Attorney: _____
Signature of Attorney: _____
Business Address of Attorney: _____
_____
City *State* *Zip Code*

Entry of default is hereby entered against the above-named Defendant.

_____ _____
Date *Clerk*

CERTIFICATE OF SERVICE ON OTHER PARTIES

I hereby certify that a copy of this Application, Affidavit, and Entry of Default (Paternity/Support) has been sent, by first class mail, postage prepaid, to all parties who are not in default in this case.

Signed _____

Rule 55(a), Ala.R.Civ.P.

***Separate form shall be completed for each defendant in cases involving multiple defendants.**

Original: Court File **Copy:** Plaintiff **Copy:** Defendant