

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

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

_____,
Petitioner,
vs.
_____,
Respondent.

Case No. _____

MOTION AND AFFIDAVIT
FOR ENTRY OF DEFAULT

Petitioner moves this Court for Entry of Default on the grounds that Respondent, **(a)** has received notice of this action by personal service; or **(b)** has been served by publication, and has failed to appear within the time period for answering the Petition in this case. This motion is based on Rule 301 Idaho Rules of Family Law Procedure and the pleadings filed in this case.

I certify:

1. I am Petitioner in this action.
2. Proof of service upon Respondent is on file in this case.
3. Respondent has failed to answer or defend this case as required by law within twenty-one (21) days of the date of service.
4. Respondent is mentally competent and over the age of eighteen (18) years.
5. Respondent is not in the uniformed services as defined by the Servicemembers Civil Relief Act; I know this because _____

_____.
or I am unable to determine whether Respondent is in the uniformed services as defined by the Servicemembers Civil Relief Act.

or Respondent is in the uniformed services as defined by the Servicemembers Civil Relief Act, and has waived in writing Respondent's rights under the Act.

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

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/Printed Name

Signature