

STATE OF NORTH DAKOTA
COUNTY OF _____

IN DISTRICT COURT
_____ JUDICIAL DISTRICT

(Plaintiff))
PLAINTIFF,)
Vs)

(Defendant))
DEFENDANT.)

Case No. _____

AFFIDAVIT OF DEFAULT, IDENTIFICATION
AND ACTIVE MILITARY STATUS

I, _____ (*Plaintiff's name*), the
undersigned, state as follows:

1. I am the Plaintiff in the above-captioned civil case, which is an action to establish parenting responsibility.
2. At the time this parenting responsibility action was started with service of the Summons and Complaint:
 - a. I lived in _____ County, North Dakota, for the previous 6 months and I continue to live in _____ County.
 - b. Defendant lived in _____ County,
_____ (*state*).
 - c. The child(ren) lived in _____ County, _____
_____ (*state*), for the previous 6 months.

3. Service of Summons and Complaint:

Defendant, _____ (*name*) was properly served on
_____, 20____ (*date*) with the Summons and Complaint for this action
and any other documents listed in the proof of service filed with the court.

4. **Type of Service:**

I arranged for Defendant to be served with the Summons and Complaint by (*choose one*):

Personal service in North Dakota by a sheriff or other officer. A certificate of service is filed with the court.

Personal service in North Dakota by an individual 18 years of age or older and not a party or interested in the case. An affidavit of personal service is filed with the court.

Personal service outside of North Dakota. A certificate of service or an affidavit of personal service is filed with the court.

Mail by an individual 18 years of age or older. An affidavit of service by mail and the green card receipt showing actual delivery are filed with the court.

Publication. Plaintiff's affidavit for service by publication and the affidavit of publication provided by the newspaper are filed with the court.

5. Defendant has not answered my Summons and Complaint to establish parenting responsibility by serving an Answer on me, or by any other method.

6. **My Identifying Information:**

My full name: _____

Address where I live: _____

My occupation and address: _____

My Year of Birth: _____ Last 4 Digits of my Social Security Number: _____

7. **Defendant's Identifying Information:**

Defendant's full name: _____

Address where Defendant lives: _____

Defendant's occupation and address: _____

Defendant's Year of Birth: _____

Last 4 Digits of Defendant's Social Security Number: _____

8. **Active Military Service** (*choose one*):

Defendant is **not** in active military service. I know this because (*select all that apply*):

I have contacted the military services of the United States and obtained documentation showing Defendant is not on active duty status. The documentation is attached.

I have personal knowledge of Defendant's military status (*explain*):

Other (*explain*):

Defendant **is** in active military service, **but** Defendant is represented by a lawyer in this case, has not served an answer to the Summons and Complaint, **and** the court has not granted a stay.

I do not know whether Defendant is in active military service. I did the following to try to find out (*explain*):

9. I state, under penalty of perjury, that everything I stated in this affidavit is true and correct.

Dated this _____ day of _____, 20_____.

(Signature of Moving Party)

(Moving Party Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

State of: _____

County of: _____

Signed and sworn to before me on _____, 20_____ by

_____.

(Notary Public or Clerk of Court)

If Notary, my commission expires: _____