
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
ON COUNTERCLAIM

Respondent moves this Court for Entry of Default on the grounds that the Petitioner, has been served with the Counterclaim, and has failed to appear within the time period for responding to the Counterclaim filed 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 Respondent in this action.
2. Proof of service upon Petitioner is on file in this case.
3. Petitioner has failed to respond or defend this case as required by law within twenty-one (21) days of the date of service.
4. Petitioner is mentally competent and over the age of eighteen (18) years.
5. Petitioner 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 Petitioner is in the uniformed services as defined by the Servicemembers Civil Relief Act.

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

6. I certify the name of the Petitioner is _____,
and that the address most likely to give the Petitioner 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

Signature