

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

PLAINTIFF

VS.

NO.

DEFENDANT

DEFAULT JUDGMENT

This cause having come on to be heard this day, it being a regular term of this Honorable Court and it appearing to the court that the Defendant, _____, was duly and legally served with process for not less than thirty (30) days, and that no answer was filed, and the Defendant's default having been entered by the Clerk in accordance with Rule 55 of the Mississippi Rules of Civil Procedure, and the Defendant being called into open Court, but came not, but wholly made default. It is therefore,

ORDERED AND ADJUDGED by the Court that the Plaintiff, _____, does hereby recover judgment of and from the Defendant, _____, for the sum of _____ (\$ _____), which includes attorneys fees in the amount of _____ (\$ _____), plus the court costs of this proceeding with interest thereon at the legal rate from the date of judgment until paid, for all of which let execution or other appropriate process issue.

CIRCUIT JUDGE

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PLAINTIFF

VS. NO.

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AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF

PERSONALLY appeared before me, the undersigned authority in and for the State and County aforesaid, the within named , who after being first duly sworn stated as follows:

1. That he/she is attorney of record for the Plaintiff and has personal knowledge of the things and matters set forth in this Affidavit.

2. That the Defendant was duly served with a copy of the summons, together with a copy of Plaintiff's Complaint on or about the day of 20 .

3. That more than thirty days (30) have elapsed since the date on which the said Defendant was served with the summons and a copy of the Complaint.

4. That the Defendant has failed to answer or otherwise defend as to Plaintiff's Complaint, or serve a copy of any answer or other defenses which it might have upon the undersigned attorney of record for the Plaintiff.

5. That this Affidavit is executed by Affiant herein in accordance with Rule 55(a) of the Mississippi Rules of Civil Procedure, for the purpose of enabling the Plaintiff to obtain an entry of default against the Defendant, for its failure to answer or otherwise defend as to the Plaintiff's Complaint.