

1. He is the Defendant in the above-entitled action.
2. This Affidavit is made in support of the Motion of Defendant for an order vacating the default the judgment entered in this cause on _____ **(date)** and permitting Defendant to file an Answer to Plaintiff's Complaint.
3. A Judgment was entered against Defendant in this cause of action on _____ **(date)**, and entered in the records of this Court.
4. The Judgment was entered against the Affiant, the Defendant therein, due to his failure to file an Answer to Plaintiff's Complaint within the time required by the _____ **(Federal or Name of State)** Rules of Civil Procedure.
5. Defendant/Affiant has limited education **(e.g., only through sixth grade)** _____ and did not understand from the documents and pleadings that he received from the Court that a written Answer to the Complaint was necessary at this time.

6. If the Judgment were vacated, the Defendant/Affiant could present a defense sufficient to permit a judgment more favorable to Defendant/Affiant as shown by the proposed Answer attached to this Affidavit as ***Exhibit A***.

(Signature of Affiant)

(Print or Type Name)

SWORN to and subscribed before me, this the _____ day of
_____, 20_____.

NOTARY PUBLIC

My Commission Expires:
