

**APPLICATION AND AFFIDAVIT FOR  
ENTRY OF DEFAULT JUDGMENT  
(FOR UNLAWFUL DETAINER)**

Case Number

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_, ALABAMA  
(Circuit or District) (Name of County)

Plaintiff

Defendant

I, affiant, request that the clerk of court, or judge, pursuant to Rule 55(b), Alabama Rules of Civil Procedure (ARCP), enter default against the above – named defendant,\* in the above case for the defendant’s failing to plead, answer, or otherwise defend.

The affiant, \_\_\_\_\_, being duly sworn, states as follows:

1. That the affiant has personal knowledge of the facts set forth in the affidavit.
2. That the unlawful detainer complaint was served, or posted and mailed, on (date) \_\_\_\_\_.
3. That more than \_\_\_\_\_ days have elapsed since the unlawful detainer complaint was served, or posted and mailed as required by law.
4. That the defendant has failed to answer or otherwise defend against the plaintiff’s Unlawful Detainer Complaint.
5. That this affidavit is executed by the affiant in accordance with Rule 55(b), ARCP, for the purpose of enabling the plaintiff to obtain a **default judgment for possession of the property, and money sued for, because of the defendant’s failing to answer or otherwise defend against the Plaintiff’s unlawful detainer complaint.**
6. That the defendant is not an infant or an incompetent person, and there has been no violation of the provisions of Ala. Code 1975, Chapter 19, Title 5.
7. That the defendant is not in the military service.
8. Judgment Conditions:  with  without waiver of exemptions.
9. That the property made the basis of this unlawful detainer is described as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

10. Plaintiff has not accepted any rents or other payments since the termination of the rental agreement.
11. The termination notice with necessary proof of service and any written rental agreement are attached.
12. The monthly rental for this leasehold is the following sum: \$\_\_\_\_\_. Rent is due on the 1<sup>st</sup> of the month. The amount of rental that has accrued since filing to date is: \_\_\_\_\_.

Sworn To and Subscribed Before Me This

Date: \_\_\_\_\_

\_\_\_\_\_  
Officer’s Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Attorney:

\_\_\_\_\_  
Signature of Attorney:

\_\_\_\_\_  
Business Address of Attorney:

\_\_\_\_\_  
City State Zip Code

Plaintiff specifically requests that the Court defer rendition of a money judgment until that issue is ripe for jurisdictional and evidentiary adjudication.