

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE:

)	
)	Case No.
Debtor.)	
)	Chapter
_____)	
)	
)	
)	
)	
Plaintiff,)	
)	
vs.)	Adv. Proc. No.
)	
)	
)	
Defendant.)	

MOTION FOR DEFAULT JUDGMENT

The above captioned Plaintiff(s), pursuant to Fed. R. Bankr. P. 7055; Fed. R. Civ. P. 55, hereby requests that the Court enter default judgment against the Defendant:

In support of this Motion, the Plaintiff states:

1. The Clerk previously entered default against the Defendant for failure to plead or otherwise defend the Plaintiff's claims.
2. The Defendant has not made an appearance in this Adversary Proceeding and has not taken any action since the entry of default by the Clerk.
3. The Defendant is not a minor or incompetent person. The Defendant is not the United States or an agent of the United States.
4. I have served this Motion for Default Judgment on the Defendant.

5. As detailed in the Plaintiff's Declaration submitted in the Plaintiff's request for entry of default, the Defendant is not protected by the Servicemembers Civil Relief Act, 50 U.S.C. § 501 et seq.

6. Wherefore, the Plaintiff requests:

That the Court conduct a hearing on this motion to:

conduct an accounting;

determine the amount of damages;

establish the truth of any allegation by evidence;

investigate matters concerning:

enter default judgment consistent with the proposed order attached to this Motion.

/s/ _____

Name:

Bar No.

Address:

Tele No.

CERTIFICATE OF SERVICE

I hereby certify that on this day of , , a true and accurate copy of the foregoing Motion for Default Judgment was served by me upon the named Defendant(s) as follows:

/s/ _____

Name:

Bar No.:

Address:

Tele. No.:

Served upon:

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vs.)	Adv. Proc. No.
)	
)	
)	
Defendant.)	

DEFAULT JUDGMENT

The above-captioned Plaintiff(s) requested that the Court enter default judgment against the Defendant:

The Clerk previously entered default against the Defendant and sent notice to the Defendant of the entry of default. The Plaintiff served the Motion for Default Judgment on the Defendant and the Clerk issued a notice to the Defendant of the time within which to oppose entry of default judgment. No timely response was received by the Clerk. The Defendant is not a minor, incompetent, or protected by the Servicemembers and Civil Relief Act, 50 U.S.C. § 501 et seq.

Therefore, judgment by default is **ENTERED** against the Defendant in favor of the Plaintiff as follows: