

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

IN RE:

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

REQUEST FOR CLERK TO ENTER DEFAULT JUDGMENT & DECLARATION

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

In support of this Request, the Plaintiff states:

1. The Bankruptcy 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.
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. Default judgment resolves all the claims against the Defendant and results in a final, appealable judgment.

This amount does not exceed the request for relief in the Plaintiff's Complaint, and is calculated as follows:

4. I have investigated the Defendant's military status. The details and result of my investigation is as stated below:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

/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 Request for Clerk to Enter Default Judgment & Declaration, was served by me upon the named Defendant(s) as follows:

/s/ _____

Name:

Bar No.:

Address:

Tele. No.:

Served upon:

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Plaintiff,)	
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vs.)	
)	
)	
)	
Defendant.)	

CLERK’S DEFAULT JUDGMENT

The above-captioned Plaintiff(s) requested that the Clerk enter default judgment for a sum certain 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 Plaintiff’s Request for Clerk to Enter Default Judgment and Declaration 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:

\$ principal,
\$ interest, and
\$ _____ costs
\$ Total Amount of Judgment.

This judgment bears interest from the date of entry pursuant to 28 U.S.C. § 1961, resolves all claims against the Defendant, and is final and appealable.

/s/ _____
Ryan W. Johnson, Clerk of Court
United States Bankruptcy Court
Northern District of West Virginia

JUDGMENT ENTERED ON:
