

IN THE DISTRICT COURT OF MOBILE, ALABAMA

_____ (Plaintiff)

vs.

Case Number DV-_____ - _____

_____ (Defendant)

**APPLICATION & AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT
URLTA - UNLAWFUL DETAINER**

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 () personally served, or () posted on _____(date)
3. That the defendant has failed to answer or otherwise defend against the plaintiff's Unlawful Detainer Complaint.
4. That this affidavit is executed by the *affiant* in accordance with Rule 55(b), Ala Rules of Civil Procedure, for the purpose of enabling the plaintiff to obtain a default judgment for possession of the property sued for because of the defendant's failing to answer or otherwise defend against the Unlawful Detainer Complaint.
5. That the defendant is not an infant or an incompetent person.
- 6 That the property made the basis of this URLTA action is described as follows, and is located within Mobile County, Alabama: address: _____

() Plaintiff seeks a judgment for possession plus money damages as set out below.

OR

() Plaintiff seeks a judgment for possession **but does not seek any money damages in this case.**

OR

() Plaintiff has possession (**dismiss that claim**) and **only seeks money damages** as set out below.

I. POSSESSION OF PROPERTY:

1. This URLTA action was filed on (date) _____.
2. That more than _____ days have elapsed since the URLTA complaint was served, or posted and mailed as required by law.
3. Plaintiff sent a notice to Defendant allowing an opportunity to cure their breach and Defendant failed to pay rent or otherwise cure the breach in the time allowed.
4. The notice is attached as an exhibit to this application. (**Attach your notice**)
5. The monthly rental (and only the rental) for this leasehold is the following sum: \$_____ per month.
6. Rent is due on the _____ day of the month and considered in default on the _____ day of the month.
7. Rent has not been paid for the months of:_____.

2. MONEY JUDGMENT

Plaintiff seeks a judgment against Defendant in a total amount of \$_____ plus the costs of court. **(In order to obtain a money judgment the service return must reflect "personal service", not merely "posted" ... AND ... you must attach a complete and itemized list of individual specified damages with a breakdown of each charge and supporting proof all in the form of a sworn affidavit based on the personal knowledge of the affiant.)**

Date: _____

_____ *Affiant*

Sworn to and subscribed before me on this the _____ day of _____, _____.

Notary's Signature