

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND	<i>File No.</i>
IN THE GENERAL COURT OF JUSTICE <input type="checkbox"/> Superior <input type="checkbox"/> District <input type="checkbox"/> Before the Clerk <input type="checkbox"/> Small Claims	
Plaintiff	Affidavit of Attorney Appointed Under Servicemembers Civil Relief Act 50 U.S.C. Ch. 50 § 3931 And NC Servicemembers Civil Relief Act NCGS § 127B-25
vs.	
Defendant	

NAME OF APPOINTED ATTORNEY

NAME OF SERVICEMEMBER

MILITARY STATUS OF SERVICEMEMBER

AFFIDAVIT

I, the above-named attorney, appointed under the Servicemembers Civil Relief Act, 50 U.S.C. Ch. 50 § 3931 and NCGS § 127B-25 to represent and protect the interests of the above named servicemember, say on oath or affirm under penalty of perjury that the following facts and statements are true and correct to the best of my knowledge and belief:

1. I **WAS** **WAS NOT able** to determine the servicemember's military status. Details of that status are listed above.

2. **I contacted the servicemember and assured that the service member has actual notice of the lawsuit.** The servicemember's current mailing address and telephone number are:

I DID NOT contact the service member. The following efforts were made to locate the servicemember:

3. I advised the servicemember of the protections of the Servicemembers Civil Relief Act.

4. I advised the servicemember of the possibility of entry of default judgment and of the consequences of such a judgment.

5. The servicemember **DOES** **DOES NOT** have dependents affected by this lawsuit or is a named party in this lawsuit.

6. I ascertained that the servicemember's ability to appear and defend his or her legal interests
 IS AFFECTED **IS NOT AFFECTED** in any way by his/her military status.

7. Based on the defendant's military status and its effect on his/her ability to appear, I have ascertained that the servicemember
 DOES **DOES NOT** wish to move for a 90 day stay of the proceedings to enable him/her to obtain counsel or prepare
a defense on the merits of the case.

8. I have advised the defendant of the next scheduled court date and his/her responsibility to appear.
The **Court Date** I provided is _____ **Time** _____ **Courtroom** _____.

There is no currently scheduled court date for me to provide to the defendant.

9. My duties as required in the Attorney Appointment Order in this case are now completed. The servicemember should henceforth
be served at: **The servicemember's current address listed in #2 above.** **The servicemember's last known address.**

10. Based on the information I have, I make the following additional recommendation(s):

11. I understand that my appointment is limited to those duties addressed herein. I further understand that this appointment does not
extend to preparation of a defense on the merits of the lawsuit and that as of the date of filing of this Affidavit my withdrawal is
allowed.

DATE/SIGNATURE

Date: _____ **Signature of Appointed Attorney:** _____

Print or Type Name of Appointed Attorney _____

NOTARY

Subscribed and sworn to or affirmed before me in Cumberland County, North Carolina.

Date: _____ **My commission expires:** _____

Signature of Notary: _____ **(SEAL)**

Print or Type Name of Notary: _____

Distribution by Appointed Attorney

Original-Court File

Copy to Plaintiff or Plaintiff's Attorney

Copy to Family Court (if domestic Filing)