**>>NOTE: It is acceptable to replace the provided caption with a required state-specific caption in order to comply with specific court rules<<**

**STANDARD AFFIDAVIT REGARDING MILITARY SERVICE**

I, >>INSERT NAME OF AFFIANT<<, being duly sworn under oath, state as follows:

1. I am an employee of the Plaintiff/Petitioner, >>Insert Name of Plaintiff<<, in this case. I am duly authorized to make this affidavit. I have personal knowledge of the facts stated here, and am competent to testify to the matters stated herein.

**NOTE:** for **Maryland**, counsel may substitute “note holder” in place of “Plaintiff.”

2. This affidavit has been filed in support of the Plaintiff’s Motion for a Default Judgment against the Defendant(s)/Respondent(s), and in accordance with 50 U.S.C. § 3931(b) (1), a provision of the Servicemembers Civil Relief Act, Pub. L. 108-189, H.R. 100, as amended (2003).

**NOTE:** for **Connecticut**, substitute “Motion for Judgment of Strict Foreclosure” for “Motion for a Default Judgment”;

**NOTE:** for **Florida** and **Louisiana**, the phrase “Motion for Default prior to judgment” MAY be used to replace “Motion for Default Judgment”;

**NOTE:** for **Louisiana**, the phrase “Petition for Executory Process” MAY be used to replace “Motion for Default Judgment”;

**NOTE:** for **Hawaii**, substitute the term “Summary Judgment” for “Default Judgment”;

**NOTE:** for **Kansas** and **Iowa**, substitute the phrase “Application for Default Judgment Entry” for “Motion for a Default Judgment”;

**NOTE:** for **Maine**, substitute “submitted with the Plaintiff’s Motion for Summary Judgment” for “filed in support of the Plaintiff’s Motion for a Default Judgment”;

**NOTE:** for **Maryland**, substitute “Order to Docket filed” in place of “Plaintiff’s Motion for a Default Judgment.”

**NOTE:** for **New York**, substitute “submitted with the Plaintiff’s request for an Order of Reference” for “filed in support of the Plaintiff’s Motion for a Default Judgment”;

**NOTE:** for **Oklahoma**, substitute the term “Request” for “Motion;

**NOTE:** for **Pennsylvania**, substitute the term “Praecipe” for “Motion”;

**NOTE:** for **South Carolina**, substitute “submitted with the Plaintiff’s request for an Order of Reference (for Foreclosure)” for “filed in support of the Plaintiff’s Motion for a Default Judgment against the Defendant(s)/Respondants”;

3. The Defendant, >>INSERT NAME OF DEFENDANT)<<

□ **is** **not** currently in the “military service”, as that term is defined in 50 U.S.C. §3911 (2)”

□ **is** currently in the “military service”, as that term is defined in 50 U.S.C. §3911 (2)

This fact is supported and based upon my review of a military status report obtained from the Department of Defense’s Defense Manpower Data Center website (<https://www.dmdc.osd.mil/appj/scra/scraHome.do>). The military status report, which has been attached as ‘Exhibit A,’ indicates:

□ that the Defendant was not on active duty status as of >>INSERT DATE OF MILITARY SEARCH<<, and had not been on active duty status at any point during the preceding 367 days;

□ that the Defendant was on active duty status as of >>INSERT DATE OF MILITARY SEARCH<<, and continues to be on active duty status;

□ that the Defendant was not on active duty status as of <<INSERT DATE OF MILITARY SEARCH<<, but was on active duty status during the preceding 367 days;

[**NOTE:** DELETE THE BELOW PARAGRAPH IF ONLY ONE DEFENDANT]

The Defendant, >>INSERT NAME OF DEFENDANT)<<

□ **is** **not** currently in the “military service”, as that term is defined in 50 U.S.C. §3911 (2)”

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□ that the Defendant was not on active duty status as of >>INSERT DATE OF MILITARY SEARCH<<, and had not been on active duty status at any point during the preceding 367 days;

□ that the Defendant was on active duty status as of >>INSERT DATE OF MILITARY SEARCH<<, and continues to be on active duty status;

□ that the Defendant was not on active duty status as of <<INSERT DATE OF MILITARY SEARCH<<, but was on active duty status during the preceding 367 days;

[**NOTE:** INSERT ADDITIONAL DUPLICATE PARAGRAPHS UNDER 3 AS NECESSARY FOR THREE OR MORE DEFENDANTS]

**4. □ The Plaintiff is unable to determine whether or not the Defendant, >>INSERT NAME OF DEFENDANT<<, is in the military service. NOTE Counsel MAY add: “due to the fact we do not have access to the Defendant’s social security number. NOTE: For Connecticut, many judges will not accept this as an adequate attestation. Therefore, for Defendants where military service cannot be determined, direct counsel to obtain a proper non-military status affidavit from the State Marshal;**

[**NOTE:** DELETE THE BELOW PARAGRAPH IF ONLY ONE DEFENDANT APPLICABLE]

□ The Plaintiff is unable to determine whether or not the Defendant, >>INSERT NAME OF DEFENDANT<<, is in the military service. **NOTE:** Counsel MAY add: “due to the fact we do not have access to the Defendant’s social security number. **NOTE**: For **Connecticut**, many judges will not accept this as an adequate attestation. Therefore, for Defendants where military service cannot be determined, direct counsel to obtain a proper non-military status affidavit from the State Marshal;]

[**NOTE:** INSERT ADDITIONAL DUPLICATE PARAGRAPHS UNDER 4 AS NECESSARY IF THREE OR MORE DEFENDANTS APPLICABLE]

**U.S. Bank National Association**

BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[SIGNATURE OF SIGNATORY]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[PRINTED NAME OF SIGNATORY]

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**>> NOTE: A written certificate of notarization must be inserted here, or attached as a separate page to this document. The written certificate of notarization should take the form of the mandatory or recommended template of the state where the notarial act is performed. These individual templates can be found in Appendix A of the Notary Procedures Manual. <<**