

Request for Entry of Default

Overview

- ◆ A Request for Entry of Default must be filed by a plaintiff who wishes the Court to enter an Entry of Default.
- ◆ An Entry of Default must be issued prior to a Default Judgment being issued or a Motion for Default Judgment being accepted.

NOTE: The plaintiff must e-file a Request for Entry of Default previous to e-filing a [Request for Entry of Default Judgment](#). It is **not** necessary to wait for the Court to enter an Entry of Default before filing the Request for Entry of Default Judgment (the Request for Entry of Default and Request for Entry of Default Judgment may be e-filed one after the other).

Required documents

The following documents are required to be associated and attached to this docket entry and should be saved AS SEPARATE FILES in PDF format:

1. Request for Entry of Default
2. Affidavit and Certificate of Service (for this pleading) - these should be saved together as one file
3. Certificate of Service (from Complaint)
4. Proposed Entry of Default (download this form in: [Microsoft Word](#) or [WordPerfect](#) format)

Preparing the request for Entry of Default and the affidavit

1. The following information **must be included** in the Request for Entry of Default:
 - ◆ Date of issuance of summons;
 - ◆ Statement of whether the court fixed a deadline for filing an answer or motion, or whether the 30 day (35 days for the United States and its offices) limit applies;
 - ◆ Date of service of the complaint;
 - ◆ Date of filing affidavit of service;
 - ◆ Statement that no answer, motion or responsive pleading has been filed within the time limit fixed by the court or by Fed. R. Bankr. P. 7012(a); and,
 - ◆ Statement that defendant is not in the military service, as required by 50 U.S.C. app. Section 520.
2. The affidavit **must state** that (50 U.S.C. app. Section 520, F.R.Civ.P. 55):
 - ◆ Service was made
 - ◆ No answer was received
 - ◆ Defendant is not a juvenile, incompetent, or in the military

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E-filing the request for entry of default:

Step	Action
1	<p>Access and log into CM/ECF (see How to Access CM/ECF).</p> <ul style="list-style-type: none">• [Adversary]• [Motions]• Enter Case #• Select [Request for Entry of Default]• Verify case name & number is correct• Select the party• Click [Browse] to associate the PDF of the Request for Entry of Default, then click the "Yes" button
2	<p>Add the three attachments:</p> <ul style="list-style-type: none">• Click [Browse] and select the Affidavit and Certificate of Service (one file) for this pleading. In the Description field type "Affidavit and Certificate of Service". Click [Add to List].• Click [Browse] and select the Certificate of Service for the complaint. In the Description field type "Certificate of Service (complaint)".• Click [Add to List].• Click [Browse] and select the proposed Entry of Default. In the Description field type "proposed Entry of Default".• Click [Add to List]. Click [Next].
3	<p>Type the name of the defendant in the free text box.</p>
4	<p>The Final Docket Text screen displays.</p> <ul style="list-style-type: none">• Proof this screen carefully! No further editing is allowed after this screen. If the docket text is correct, click [Next] to submit.• If any part of the docket text is incorrect, click the browser [Back] button to return to the screen you need to correct. Then process the screens again with the respective [Next] or [Submit] buttons.• NOTE: To abort or restart the transaction at any time up until the final docket text screen, click the Adversary hyperlink on the Menu Bar.
5	<p>The Notice of Electronic Filing screen displays.</p> <ul style="list-style-type: none">• Print a copy of this notice by clicking the browser [Print] button.• NOTE: You must enter your PACER login and password to view any documents or reports or perform any queries.

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