

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In Re _____

Case No. _____

Debtor. _____

Adversary Proceeding No. _____

vs.

Plaintiff,

Defendant.

MEMORANDUM RE: DEFAULT PAPERS

TO: _____

The following item(s) below require your attention for us to process your requested relief:

- 1. No Request for Entry of Default was submitted.
- 2. No declaration or affidavit was submitted in support of the Request for Entry of Default. The affidavit should set forth the facts listed under item 5 below.
- 3. No Entry of Default was submitted.
- 4. No Certificate of Service re: Issuance of Summons was submitted or there was no Summons attached.
- 5. The declaration/affidavit does not set forth the following required facts:
 - The date the summons was issued;
 - A statement that the court has fixed a deadline for the filing of the answer or motion, or that the 30 or 35 day time limit applies;
 - The date the complaint was served on the defendant;
 - The date of filing of an affidavit of service;
 - A statement that no answer or motion has been received within the time limit fixed by the court or by Bankruptcy Rule 7012(a); and
 - A statement that the defendant is not in the military service pursuant to 50 U.S.C. Appendix 520; and
 - A statement that the defendant is not an infant or incompetent person.
- 6. An Answer or Motion was filed on _____ and the matter must now be set for a hearing before the judge.
- 7. An Order Extending or Reducing the Time for Filing an Answer was filed on _____ and the deadline for filing an answer is _____. Your pleadings should be resubmitted to the court, if appropriate, upon expiration of the deadline.
- 8. The defendant/debtor was served at the incorrect address.
- 9. The pro se debtor/defendant was not served with General Order 98-5.
- 10. Other _____

DATED: _____

FOR THE COURT
RICHARD G. HELTZEL, CLERK
U.S. BANKRUPTCY COURT

By: _____
Deputy Clerk