NOTICE TO PARTIES OF NON-ENTRY OF DEFAULT

Mass R. Civ. P. 55.1(b)(2)

DOCKET NO.

Trial Court of Massachusetts

PLAINTIFF	DEFENDANT	COUNTY/COURT DIVISION

THIS FORM IS REQUIRED IN ALL CASES SUBJECT TO MASS. R. CIV. P. 8.1

The parties in the above-captioned action are hereby NOTIFIED that the default against the defendant requested by the plaintiff has not been entered because the plaintiff failed to comply with the requirements of Mass. R. Civ. P. 8.1 and/or 55.1, and specifically as follows:

- ☐ No Affidavit Regarding Debt filed (Mass. R. Civ. P 8.1(c)).
- ☐ No Affidavit Providing Documentation of Debt filed (Mass. R. Civ. P 8.1(d)).
- ☐ No Affidavit of Address Verification filed (Mass. R. Civ. P. 8.1.(e)).
- ☐ No Certification Regarding Statute of Limitations filed (Mass. R. Civ. P 8.1(f)).
- ☐ No Affidavit of Compliance and Plaintiff's Entitlement to Judgment (Mass.R.Civ.P. 55.1(b)(1)).
- ☐ Address at which service made does not match verified address.
- ☐ Other: _____

If the only basis, indicated above, for the non-entry of default is plaintiff's failure to file a completed Affidavit of Compliance and Plaintiff's Entitlement to Judgment, Rule 55.1(b)(1), dismissal will be avoided if the plaintiff submits the affidavit before the scheduled date of dismissal.

The parties are further NOTIFIED that this Court will ENTER A JUDGMENT OF DISMISSAL of the Complaint in this action, without prejudice, on or after the 30th day after the DATE OF THIS NOTICE, unless the plaintiff requests, in writing, prior to the expiration of the 30 day period, a hearing for the purpose of showing cause, with notice to the defendant, why the Complaint should not be dismissed.

SAMPLE

CLERK MAGISTRATE/ASSISTANT CLERK MAGISTRATE	DATE
X	