

IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, WEST VIRGINIA

\_\_\_\_\_,  
Plaintiff,

v.

Civil Action No. 97-D-

\_\_\_\_\_,  
Defendant.

AFFIDAVIT

STATE OF WEST VIRGINIA,  
COUNTY OF HARRISON, TO-WIT:

Before the undersigned authority, this day personally appeared the Plaintiff named in the above styled action, who being duly sworn, deposes and says:

That the Defendant named in the above styled action was not at the time of the institution of this action, and is not now an infant, incompetent person, incarcerated convict nor a member of the military service of the United States of America, nor a member of the armed forces of any other State, Country, or Sovereignty, so as to be entitled to the relief and benefits of the so-called Soldiers and Sailors Relief Act of 1940, as amended.

And further affiant sayeth not.

\_\_\_\_\_  
AFFIANT/PLAINTIFF

Taken, subscribed and sworn to before me the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC