

Case No.: _____

Plaintiff (Full Name)

v.

Defendant (Full Name)

**REQUEST FOR APPOINTMENT OF COUNSEL - SERVICEMEMBERS CIVIL RELIEF
ACT (Default Judgment)**

50 U.S.C. Appendix §§ 501-596, Servicemembers Civil Relief Act

I have filed an affidavit for default judgment stating that the defendant is a servicemember engaged in military service. Pursuant to *50 App. U.S.C. § 521* and *West Virginia Code § 50-4-10(a)(2)(B)*, a default judgment cannot be entered against a servicemember engaged in military service unless an attorney is appointed to represent him or her. Therefore, I request that an attorney be appointed to represent the defendant, and that this request be forwarded to the circuit court for the appointment of counsel, so that this case may proceed in magistrate court.

Date

Plaintiff

This Court finds that there is good cause for the plaintiff's request and, further, that the authority to appoint counsel lies with the chief circuit judge of this county. Therefore, the clerk shall forward a copy of this Request, along with the Affidavit for Default Judgment previously filed in this matter, to the chief circuit judge of this county for consideration of the plaintiff's request that counsel be appointed to represent the defendant.

Date

Magistrate