

1 [Firm Name]  
[Firm Address]  
2 [Firm Phone Number]  
[Firm Fax]  
3 [Firm Email]  
[Attorney Name and Bar Number]  
4 Attorney for Plaintiff(s)

5 [State Trial Court System], [Location] County

6 **[Plaintiff Name(s)],**  
7 Plaintiff(s),  
8 v.  
9 **[Defendant(s)],**  
10 Defendant(s).

Case No.  
**AFFIDAVIT OF PROPRIETY FOR,  
AND SERVICE BY, PUBLICATION**  
Assigned to the Hon. [Judge]

11  
12 [Affiant], being duly sworn, upon oath, deposes and says as follows:

- 13  
14 1. I am the attorney for plaintiff [Plaintiff] in this action. I submit this Affidavit to  
15 demonstrate the circumstances warranting the utilization of service of process  
16 under [local civil rule] and to establish the completion of such service.  
17 2. Defendant [Defendant] is an individual who is known to reside within the State of  
18 [name of state] at [address of defendant].  
19 3. As is evidenced by the Affidavit of Service of Process by Private Person annexed  
20 hereto, however, repeated and diligent attempts to secure service of process upon  
21 defendant [name of defendant] at that address have been unsuccessful. [Detailed  
22 description of efforts made to locate and serve defendant].  
23 4. Based on repeated, diligent, but unsuccessful efforts to find and serve defendant, it  
24 appears that defendant [Defendant] is attempting to avoid service of process,  
25 thereby rendering service by means of publication appropriate under the provisions  
26 of [local civil rule].  
27 5. In accordance with the provisions of [local civil rule], on [date of mailing], I  
28 caused a Summons and a copy of the Complaint in this action to be deposited in the

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United States mails, first class postage prepaid, properly addressed to the defendant [name of defendant] at the address specified above.

- 6. Thereafter, I caused a Summons and a statement as to the method by which a copy of the Complaint could be obtained, to be published in [name of publication]. This newspaper is regularly published and circulated in the County where this action is pending.
- 7. I caused the information described herein to be first published on [date of first publication] and published thereafter on the following dates [dates of additional publication], which is at least once a week for four successive weeks.
- 8. Service was complete on [date of completed service], which is [number of days outlined by local civil rule] days after the first publication.
- 9. A true copy of the Summons, and of the statement as to the manner in which a copy of the Complaint could be obtained, as printed and published, is attached to this Affidavit as Exhibit 1.

Dated this [Day] of [Month], [Year].

By \_\_\_\_\_  
[Name of Plaintiff's Attorney]  
[Firm Name]  
[Firm Address]  
Attorney for Plaintiff