

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

_____)
 _____)
 PLAINTIFF/PETITIONER,)
 vs)
 _____)
 DEFENDANT/RESPONDENT.)
 _____)

Case No. _____

AFFIDAVIT FOR SERVICE
BY PUBLICATION

I, _____ (*Plaintiff's/Petitioner's name*), the undersigned, state as follows:

1. I am the Plaintiff / Petitioner (*choose one*) in the above entitled action.
2. I make this Affidavit for Service by Publication in support of service of process upon the Defendant/ Respondent (*choose one*), _____ (*name*) by publication pursuant to Rule 4(e) of the North Dakota Rules of Civil Procedure.
3. Pursuant to Rule 4(e)(1), service by publication is permitted because the complaint/ petition (*choose one*) in the above entitled action is based on the following situation(s) (*List all of the situations from Rule 4(e)(1) that apply to your circumstances and allow you to serve by publication*):

4. I made the following diligent efforts to locate the Defendant/ Respondent (*choose the same as Paragraph 2*) in order to serve the summons and complaint/ petition (*choose the same as Paragraph 3*) in the above entitled action (*list your specific efforts to locate the Defendant/Respondent*):

5. I made the following attempts to serve the Defendant/ Respondent (*choose the same as Paragraph 2*). *List your specific attempts to serve the Defendant/Respondent*:

6. I state that (*select and complete all that apply*):

After diligent inquiry personal service of the summons cannot be made on the
Defendant/ Respondent (*choose the same as Paragraph 2*) in this state to the
best knowledge, information, and belief of the affiant;

OR

The Defendant/ Respondent (*choose the same as Paragraph 2*) is a domestic
corporation that has forfeited its charter or right to do business in this state or has
failed to file its annual report as required by law;

OR

The Defendant / Respondent (*choose the same as Paragraph 2*) is a domestic or
foreign corporation and has no officer, director, superintendent, managing agent,
business agent, or other agent authorized by appointment or by law on whom service
of process can be made on its behalf in this state;

OR

All persons having or claiming an estate or interest in, or lien or encumbrance on, the
real property described in the complaint, whether as heirs, devisees, legatees, or
personal representative of a deceased person, or under any other title or interest,
and not in possession, nor appearing of record in the office of the register of deeds,
the clerk of the district court, or the county auditor of the county in which the real
property is situated, to have such claim, title or interest in the property, are
proceeded against as unknown persons defendant under N.D.C.C. Chs. 32-17 or 32-
19, and state the following facts to satisfy the requirements of those Chapters

(review North Dakota Century Chapters 32-17 and 32-19 and state your facts that satisfy the requirements of the Chapters):

7. The last, reasonably ascertainable address of the Defendant/ Respondent (choose the same as Paragraph 2) is: _____
_____.

8. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Affidavit for Service by Publication is true and correct.

Signed on _____, 20____, in _____
(city), _____ County, _____ (state), _____ (country).

(Plaintiff/Petitioner Signature)

(Printed Name)

(Address) (City, State, Zip Code)

Telephone Number: _____

Email Address: _____