

**COMMANDING OFFICER'S AFFIDAVIT**

I, \_\_\_\_\_, being duly sworn upon oath, depose and say:

a. That I am presently on active duty in the United States Armed Forces and am the Commanding Officer of \_\_\_\_ Company, \_\_\_\_\_ Battalion, Fort Gregg-Adams, Virginia.

b. That \_\_\_\_\_ (Soldier's name), who currently has a civil action pending in \_\_\_\_\_ (provide name of court), case number \_\_\_\_\_ (provide case number, if known), is a member of the US Army who is on active duty and assigned to my command.

c. That, as the Commanding Officer of \_\_\_\_ Company, \_\_\_\_\_ Battalion, I hereby state that \_\_\_\_\_ (Soldier's name) current military duties prevent his/her appearance to protect his/her interests in this action.

\_\_\_\_\_ (Soldier's name) is currently attending Advanced Individual Training (AIT). This training is critical for the Soldier's Military Occupational Specialty. Unfortunately, Army Regulations prohibit Soldiers in such a training status from taking leave, with the only exceptions being for emergency leave for the death or life-threatening illness of a family member.

d. \_\_\_\_\_ (Soldier's name) is not authorized Military Leave at this time. \_\_\_\_\_ (Soldier's name) graduates from AIT on or about \_\_\_\_\_.

e. I concur with \_\_\_\_\_ (Soldier's name) request for a stay of the proceedings under the Servicemembers' Civil Relief Act, 50 U.S.C. App. § 522, until at least \_\_\_\_\_ (earliest date Soldier can appear in court).

\_\_\_\_\_  
\_\_\_\_\_  
Commanding Officer

**ACKNOWLEDGEMENT**

**STATE OF Virginia** )  
 ) SS.  
**COUNTY OF Prince George** )  
 )

On this \_\_\_\_\_(date), before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ (commanding officer's name), the true person whose name is subscribed to the foregoing instrument, proven to me by way of satisfactory evidence to be that person, and acknowledged that she voluntarily executed the same for the purposes therein contained.

Witness my hand and official seal on the day and year first above written.

\_\_\_\_\_

Notary Public, in and for: Virginia  
My commission expires: \_\_\_\_\_