

**KENTUCKY BAR ASSOCIATION  
KENTUCKY RULES OF CIVIL PROCEDURE**

**COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS AND  
ORDERS**

**CR 4.06 Warning order; affidavit**

(1) The warning order provided in Rule 4.05 shall be made by the clerk only upon an affidavit of the plaintiff or his attorney, or if the plaintiff is under disability, of the party suing in his behalf or his attorney, stating the ground of the application for such order. The affiant shall state the last known address of the defendant, or, if the defendant is one designated in Rule 4.05(b) and its address is unknown, the last known address of one upon whom service may be had in its behalf, or shall state his ignorance of such of those facts as he does not know. If the affidavit is made by one other than the plaintiff, stating any grounds mentioned in Rule 4.05, the affidavit shall state the affiant's connection with the plaintiff and the affiant's belief that the plaintiff is ignorant of such facts as are unknown to the affiant.

(2) An affidavit made pursuant to the provisions of Rule 4.06(1), unless it is controverted by the defendant's affidavit, shall be sufficient evidence of the facts therein stated for the support of the action as well as of the warning order.

HISTORY: Amended eff. 1-1-78; prior amendment eff. 4-1-63; adopted 7-1-53