FST-CV-22-6055175-S	:	SUPERIOR COURT
CAPITAL ONE BANK (USA), N.A.	:	JUDICIAL DISTRICT OF STAMFORD/NORWALK
VS.	:	AT STAMFORD
JAMES M VASQUEZ	:	JANUARY 28, 2022

AFFIDAVIT OF MILITARY SERVICE

STATE OF CONNECTICUT }
} ss. Newington
COUNTY OF HARTFORD }

The undersigned, being duly sworn, deposes and says:

1. I am over the age of eighteen and I believe in the obligation of an oath. I am a legal assistant at London & London, counsel for the aforementioned plaintiff; and based on the foregoing, I am familiar with the statements contained in this Affidavit.

2. The law office of London & London, requested from the Department Manpower Data Center, the military status of the Defendant, JAMES M VASQUEZ, based on social security number and last name.

3. London & London received by internet a signed statement from the Department Manpower Data Center which is attached hereto.

4. The attached statement indicates that the defendant, JAMES M VASQUEZ, is not and has not been in the military services during the pendency of this action.

Dated at Newington, Connecticut, this the 28th day of January 2022.

Alma Korkutovic

Subscribed and sworn to before
me on this the 28th day of January 2022.

Toby J. Rhinesmith
Commissioner of the Superior Court

21-63616

Department of Defense Manpower Data Center

Results as of : Jan-28-2022 10:55:34 AM

SCRA 5.12

Status Report
Pursuant to Servicemembers Civil Relief Act

SSN: [redacted]
Birth Date: [redacted]
Last Name: VASQUEZ
First Name: JAMES
Middle Name: M
Status As Of: Jan-28-2022
Certificate ID: 5VV8XDRY3LS0JBD

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Michael V. Sorrento

Michael V. Sorrento, Director
Department of Defense - Manpower Data Center
400 Gigling Rd.
Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: https://scra.dmdc.osd.mil/scra/#/faqs. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

CERTIFICATION

I certify that a copy of the above was, or will immediately be, mailed or delivered electronically or non-electronically on Friday, January 28, 2022, to all counsel and self-represented parties of record (and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were, or will immediately be, electronically served), as follows: No appearing parties of record.

By:_____

Toby J. Rhinesmith
London & London
48 Christian Lane
Newington, CT 06111
860-666-4500

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY FURTHER INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

21-63616