



**STANISLAUS COUNTY SUPERIOR COURT**  
Turlock Division  
[www.stanislaus.courts.ca.gov](http://www.stanislaus.courts.ca.gov)  
(209) 530-3100

Revised 1/1/2024

## Unlawful Detainer Complaint

This packet includes the necessary forms to start an eviction.

NOTE: The Clerk's Office cannot give you legal advice. It is recommended that you seek legal advice or direction from the Judicial Council Website Self-Help Page.

Judicial Council forms, local forms and information are available in the Clerk's Office, the Stanislaus County Law Library located at 1101 13<sup>th</sup> Street, Modesto, and on the following Websites:

- Stanislaus County Superior Court
- <http://www.stanislaus.courts.ca.gov>  
Judicial Council's Self-Help website
- <http://www.courts.ca.gov/selfhelp/>  
For more information on Libraries, Websites, or Self-Help Legal Books
- <http://www.courts.ca.gov/selfhelp/lowcost/libraries.html>  
California Superior Court's Interactive Electronic Forms Program

### **Superior Court Small Claims Division**

Email: [Turlock.Requests@stanct.org](mailto:Turlock.Requests@stanct.org) (for questions only – not for filings)

Hours: Please refer to our website for office hours.

### **PROVIDES SERVICES TO PARTIES REPRESENTING THEMSELVES:**

**For more information, please refer to our website:**

[www.stanislaus.courts.ca.gov](http://www.stanislaus.courts.ca.gov)

Email: [Smallclaims.advisor@stanct.org](mailto:Smallclaims.advisor@stanct.org)

Telephone: (209) 530-3178

All forms presented for filing must be typewritten or printed legibly in blue or black ink. All signatures must be original. All attachments must be clearly labeled and stapled to the appropriate document.

# FORMS TO FILE IN UNLAWFUL DETAINERS Revised 01/01/2024

## **COMPLAINT – UNLAWFUL DETAINER (UD-100)**

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

### **ATTACHED TO THE COMPLAINT**

1. 3 day, 30 day or 60 day Notice
2. Proof of Service of the 3, 30 or 60 day Notice
3. Rental Agreement (unless lost or oral)

\*\*Per Local Rule 3.03B, the parties may file a copy of the proof of service of 3, 30 or 60-day notice to quite/vacate, but must retain the original proof of service pursuant to California rules of Court 2.257(b).

## **SUMMONS – UNLAWFUL DETAINER (SUM-130)**

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

## **NOTICE OF REVIEW FOR COURTS MOTION RE DISMISSAL (LOCAL FORM CV011)**

- 1 original for the Court
- 1 copy for your records and 1 copy for each Defendant (The court will only conform two copies)

## **CIVIL CASE COVER SHEET (CM-010)**

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

## **PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS – UNLAWFUL DETAINER (UD-101)**

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

### **Court fees are as follows:**

- Forms = **\$.25**; Copies = **\$.50 per page**
- Filing fee for cases under \$10,000 = **\$240.00**
- Filing fee for cases between \$10,000 & \$35,000 = **\$385.00**
- Filing fee for cases over \$35,000 = **\$435.00**
- Filing fee for issuance of Writ=\$40.00

\*\* The Plaintiff cannot serve the Summons & Complaint\*\*

A Sheriff, Marshal, licensed process server or anyone over the age of 18 who is not involved in the action must serve the Summons & Complaint.

## FORMS NEEDED IF DEFENDANTS DO NOT RESPOND

### PROOF OF SERVICE OF SUMMONS AND COMPLAINT (POS-010)

- 1 original for the Court
- 1 copy for your records

### VERIFICATION BY LANDLORD REGARDING RENTAL ASSISTANCE (UD-120)

- 1 original for the Court
- 1 copy for your records

\*\*This form must be filed by the plaintiff with any request for default judgment in any action seeking possession of residential property based on nonpayment of rent or other financial obligation under lease.

### REQUEST FOR ENTRY OF DEFAULT AND REQUEST FOR JUDGMENT (CIV-100)

- 1 original for the Court
- 1 copy for your records

\*\*A copy to be mailed to each Defendant prior to filing.

### JUDGMENT BY DEFAULT BY CLERK (OR COURT) – UNLAWFUL DETAINER (UD-110)

- 1 original for the Court
- 1 copy for your records

\*\*A Judgment may be obtained by the Clerk for possession of the premises only. A money Judgment can be obtained at a later time, but a Court Judgment must be submitted. If seeking possession and money simultaneously, a Court Judgment must be submitted\*\*

## FORMS NEEDED IF DEFENDANTS DO RESPOND

### REQUEST TO SET CASE FOR TRIAL – UNLAWFUL DETAINER (UD-150)

- 1 original for the Court
- 1 copy for your records.

\*\*A copy to be mailed to each Defendant prior to filing.

\*\*The Court will set your trial date after a Request to Set (Form UD-150) has been filed and you will receive notice of your trial date in the mail. After your hearing, your Judgment After Trial can be submitted to the Clerk's Office. When trial is set, the Court will vacate the Court's Motion to Dismiss hearing.\*\*

## FORMS NEEDED AFTER YOUR COURT TRIAL

### JUDGMENT AFTER TRIAL BY COURT – UNLAWFUL DETAINER (UD-110)

- 1 original for the Court
- 1 copy for your records

Note: The court clerk staff cannot give legal advice. It is recommended that you seek legal advice if you are not sure how to proceed with your case. You may want to seek assistance for forms necessary to enforce your judgment.



# COMPLAINT – UNLAWFUL DETAINER

(UD-100)

Directions

- Find the number on the sample form.  
*Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink.  
DO NOT USE GEL PENS.

PLAINTIFF: DEFENDANT:	10	CASE NUMBER:
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**19. PLAINTIFF REQUESTS**

a.  possession of the premises.  
 b.  costs incurred in this proceeding:  
 c.  past-due rent of \$ \_\_\_\_\_  
 d.  reasonable attorney fees.  
 e.  forfeiture of the agreement.

f.  damages in the amount of waived rent or relocation assistance as stated in item 8: \$ \_\_\_\_\_  
 g.  damages at the rate stated in item 13 from date: \_\_\_\_\_  
 for each day that defendants remain in possession through entry of judgment.  
 h.  statutory damages up to \$600 for the conduct alleged in item 14.  
 i.  other (specify): \_\_\_\_\_

20.  Number of pages attached (specify): 11

**UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400–6415)**

21.  (Complete in all cases.) An unlawful detainer assistant  did not  did 12  
 for compensation give advice or assistance with this form. (If declarant has received any help or advice for pay from an unlawful detainer assistant, complete a–f.)

a. Assistant's name: \_\_\_\_\_  
 b. Street address, city, and zip code: \_\_\_\_\_  
 c. Telephone no.: \_\_\_\_\_  
 d. County of registration: \_\_\_\_\_  
 e. Registration no.: \_\_\_\_\_  
 f. Expires on (date): \_\_\_\_\_

Date: 13 \_\_\_\_\_ 14 \_\_\_\_\_  
(TYPE OR PRINT NAME) (SIGNATURE OF PLAINTIFF OR ATTORNEY)

**VERIFICATION**  
(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 15 \_\_\_\_\_  
(TYPE OR PRINT NAME) (SIGNATURE OF PLAINTIFF)

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10. Write in the Plaintiffs' names and the Defendants' names.
11. If you attached pages, please check box #20 and write in the number of pages you attached to the Complaint.
12. Check the first box in this section. Next, tell the court if someone helped you fill out this form by checking one of the boxes: "did not" or "did". Fill out the rest of this section ONLY if you have received any help or advice for pay from an Unlawful Detainer Assistant.
13. Write the date and print the name of each Plaintiff.
14. Each Plaintiff must sign their name. Since there is only one signature line, each Plaintiff can sign on the line.
15. Under the verification section, each Plaintiff must date, print their name and sign.

UD-100

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY</p> <p>NAME: _____</p> <p>PHONE NUMBER: _____</p> <p>STREET ADDRESS: <b>1</b> _____</p> <p>CITY: _____ STATE: _____ ZIP CODE: _____</p> <p>TELEPHONE NO. _____ FILING NO. _____</p> <p>EMAIL ADDRESS: _____</p> <p>ATTORNEY FOR (Name): _____</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</p> <p>STREET ADDRESS: _____</p> <p>MAILING ADDRESS: <b>2</b> _____</p> <p>CITY AND ZIP CODE: _____</p> <p>BRANCH NAME: _____</p> <p>PLAINTIFF:</p> <p>DEFENDANT: <b>3</b> _____</p> <p><input type="checkbox"/> DOES 1 TO _____</p> <p><b>4</b> COMPLAINT—UNLAWFUL DETAINER*</p> <p><input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Amendment Number): _____</p> <p>Jurisdiction (check all that apply):</p> <p><input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE</p> <p>Amount demanded: <input type="checkbox"/> does not exceed \$10,000. <input type="checkbox"/> exceeds \$10,000 but does not exceed \$25,000. <b>5</b></p> <p><input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$25,000)</p> <p><input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (check all that apply):</p> <p><input type="checkbox"/> from unlawful detainer to general unlimited civil (possession not in issue). <input type="checkbox"/> from limited to unlimited.</p> <p><input type="checkbox"/> from unlawful detainer to general limited civil (possession not in issue). <input type="checkbox"/> from unlimited to limited.</p> <p>1. PLAINTIFF (name each): <b>6</b> _____</p> <p>alleges causes of action against DEFENDANT (name each): <b>7</b> _____</p> <p>2. a. Plaintiff is (1) <input type="checkbox"/> an individual over the age of 18 years. (4) <input type="checkbox"/> a partnership.</p> <p>(2) <input type="checkbox"/> a public agency. <b>8</b> (3) <input type="checkbox"/> a corporation.</p> <p>(3) <input type="checkbox"/> other (specify): _____</p> <p>b. <input type="checkbox"/> Plaintiff has complied with the fictitious business name laws and is doing business under the fictitious name of (specify): _____</p> <p>3. a. The venue in the court named above because defendant named above is in possession of the premises located at (street address, apt. no., city, zip code, and county): _____</p> <p>b. The premises in 3a are (check one)</p> <p>(1) <input type="checkbox"/> within the city limits of (name of city): _____</p> <p>(2) <input type="checkbox"/> within the unincorporated area of (name of county): _____</p> <p>c. The premises in 3a were constructed in (approximate year): _____</p> <p>4. Plaintiff's interest in the premises is <input type="checkbox"/> an owner <input type="checkbox"/> other (specify): _____</p> <p>5. The true names and capacities of defendants sued as Does are unknown to plaintiff.</p> <p>* NOTE: Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).</p> <p style="font-size: small;">Form Approved for Limited Use Judicial Council of California UD-100 (Rev. September 1, 2008)</p> <p style="text-align: center;"><b>COMPLAINT—UNLAWFUL DETAINER</b></p> <p style="text-align: right; font-size: x-small;">Page 1 of 4 CIVIL CASE, § 10004.010 State of the Penitentiaries, §§ 405.10, 1190</p>	<p>FOR COUNTY USE ONLY</p> <div style="border: 1px solid black; padding: 10px; width: 80%; margin: 0 auto;"> <p>Do not write anything this area</p> </div> <p>CASE NUMBER: Leave blank</p>
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# COMPLAINT – UNLAWFUL DETAINER

(UD-100)

Directions

- Find the number on the sample form.
- Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink. **DO NOT USE GEL PENS.**

1. Write your name, address and phone number. Make sure to include any others who are suing the tenants.
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:
 

Street: 300 Starr Avenue  
Mailing: 300 Starr Avenue  
City & Zip: Turlock, CA 95380
3. Write your name as the Plaintiff, and the names of the other plaintiffs if any. After Defendant, write the name(s) of all adults living in the residence (house, apartment). If there are adults living in the residence whose names you do not know, check DOES 1 TO \_\_\_ and fill in the number of additional defendants you believe may be living there also.
4. Check "complaint."
5. Under Jurisdiction, check the first box (action is a limited civil case). Check "does not exceed \$10,000" OR "exceeds \$10,000, but does not exceed \$25,000," whichever applies.
6. Write the names of all Plaintiffs. (The names must be spelled exactly the same as spelled on section #3).
7. Write the names of all Defendants. (The names must be spelled exactly the same as spelled on section #3).
8. For 2(a), check the box that best describes the plaintiff(s). Check 2(b) if applicable.
9. Fill in the complete address of the premises (property). Note: it is very important to include the zip code and county.

\*\*Please note: You may need to seek legal advice for information on completing items #4-19 on this form. The Clerk's Office cannot give Legal advice and can only guide you to how to format the paperwork. See next page for additional information.



# CIVIL CASE COVER SHEET

(CM-010)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Please state the number and address) TELEPHONE NO. <b>1</b> FAX NO. (Optional) E-MAIL ADDRESS ATTORNEY FOR (Please)		CIVIL CASE COVER SHEET Leave this area blank			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS MAILING ADDRESS <b>2</b> CITY AND ZIP CODE ZIP EXTENSION		Leave blank Leave blank			
CASE NAME <b>3</b>					
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <b>4</b>	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Answer Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER JUDGE DATE			
Items 1-4 below must be completed (see instructions on page 2).					
1. Check one box below for the case type that best describes this case: <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top; width: 33%;"> <input type="checkbox"/> Auto Tort  <input type="checkbox"/> Auto (22)  <input type="checkbox"/> Uninsured motorist (46)  <input type="checkbox"/> Other PUPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort  <input type="checkbox"/> Asbestos (24)  <input type="checkbox"/> Product liability (24)  <input type="checkbox"/> Medical malpractice (45)  <input type="checkbox"/> Other PUPD/WD (23)  <input type="checkbox"/> Non-PUPD/WD (Other) Tort  <input type="checkbox"/> Business tort/unfair business practice (67)  <input type="checkbox"/> Civil rights (68)  <input type="checkbox"/> Defamation (13)  <input type="checkbox"/> Fraud (16)  <input type="checkbox"/> Intellectual property (19)  <input type="checkbox"/> Professional negligence (25)  <input type="checkbox"/> Other non-PUPD/WD tort (35)  <input type="checkbox"/> Employment  <input type="checkbox"/> Wrongful termination (26)  <input type="checkbox"/> Other employment (18)                 </td> <td style="vertical-align: top; width: 33%;"> <input type="checkbox"/> Contract  <input type="checkbox"/> Breach of contract/warranty (56)  <input type="checkbox"/> Real Property  <input type="checkbox"/> Eminent domain/reverse condemnation (14)  <input type="checkbox"/> Wrongful eviction (37)  <input type="checkbox"/> Other real property (28)  <input type="checkbox"/> Unlawful Detainer  <input type="checkbox"/> Commercial (21) <b>5</b>  <input type="checkbox"/> Residential (20)  <input type="checkbox"/> Design (39)  <input type="checkbox"/> Judicial Review  <input type="checkbox"/> Asset forfeiture (66)  <input type="checkbox"/> Petition re: arbitration award (11)  <input type="checkbox"/> Writ of mandamus (62)  <input type="checkbox"/> Other judicial review (39)                 </td> <td style="vertical-align: top; width: 33%;"> <input type="checkbox"/> Provisoriamente Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.405)  <input type="checkbox"/> Arbitration/Traffic regulation (63)  <input type="checkbox"/> Construction defect (10)  <input type="checkbox"/> Mass tort (40)  <input type="checkbox"/> Securities litigation (38)  <input type="checkbox"/> Environmental/Tort tort (36)  <input type="checkbox"/> Insurance coverage claims arising from the above listed provisorily complex case types (41)  <input type="checkbox"/> Enforcement of Judgment  <input type="checkbox"/> Enforcement of judgment (28)  <input type="checkbox"/> Miscellaneous Civil Complaint  <input type="checkbox"/> RICO (27)  <input type="checkbox"/> Other complaint (not specified above) (42)  <input type="checkbox"/> Miscellaneous Case Petitions  <input type="checkbox"/> Partnership and corporate governance (21)  <input type="checkbox"/> Other petition (not specified above) (43)                 </td> </tr> </table>			<input type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <input type="checkbox"/> Other PUPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (24) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PUPD/WD (23) <input type="checkbox"/> Non-PUPD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (67) <input type="checkbox"/> Civil rights (68) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PUPD/WD tort (35) <input type="checkbox"/> Employment <input type="checkbox"/> Wrongful termination (26) <input type="checkbox"/> Other employment (18)	<input type="checkbox"/> Contract <input type="checkbox"/> Breach of contract/warranty (56) <input type="checkbox"/> Real Property <input type="checkbox"/> Eminent domain/reverse condemnation (14) <input type="checkbox"/> Wrongful eviction (37) <input type="checkbox"/> Other real property (28) <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Commercial (21) <b>5</b> <input type="checkbox"/> Residential (20) <input type="checkbox"/> Design (39) <input type="checkbox"/> Judicial Review <input type="checkbox"/> Asset forfeiture (66) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandamus (62) <input type="checkbox"/> Other judicial review (39)	<input type="checkbox"/> Provisoriamente Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.405) <input type="checkbox"/> Arbitration/Traffic regulation (63) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (38) <input type="checkbox"/> Environmental/Tort tort (36) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisorily complex case types (41) <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (28) <input type="checkbox"/> Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <input type="checkbox"/> Miscellaneous Case Petitions <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
<input type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <input type="checkbox"/> Other PUPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (24) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PUPD/WD (23) <input type="checkbox"/> Non-PUPD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (67) <input type="checkbox"/> Civil rights (68) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PUPD/WD tort (35) <input type="checkbox"/> Employment <input type="checkbox"/> Wrongful termination (26) <input type="checkbox"/> Other employment (18)	<input type="checkbox"/> Contract <input type="checkbox"/> Breach of contract/warranty (56) <input type="checkbox"/> Real Property <input type="checkbox"/> Eminent domain/reverse condemnation (14) <input type="checkbox"/> Wrongful eviction (37) <input type="checkbox"/> Other real property (28) <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Commercial (21) <b>5</b> <input type="checkbox"/> Residential (20) <input type="checkbox"/> Design (39) <input type="checkbox"/> Judicial Review <input type="checkbox"/> Asset forfeiture (66) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandamus (62) <input type="checkbox"/> Other judicial review (39)	<input type="checkbox"/> Provisoriamente Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.405) <input type="checkbox"/> Arbitration/Traffic regulation (63) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (38) <input type="checkbox"/> Environmental/Tort tort (36) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisorily complex case types (41) <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (28) <input type="checkbox"/> Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <input type="checkbox"/> Miscellaneous Case Petitions <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)			
2. This case <input type="checkbox"/> is <b>6</b> <input type="checkbox"/> is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management: a. <input type="checkbox"/> Large number of separately represented parties d. <input type="checkbox"/> Large number of witnesses b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court c. <input type="checkbox"/> Substantial amount of documentary evidence f. <input type="checkbox"/> Substantial postjudgment judicial supervision					
3. Remedies sought (check all that apply): a. <input type="checkbox"/> monetary b. <input type="checkbox"/> nonmonetary, declaratory or injunctive relief c. <input type="checkbox"/> punitive					
4. Number of causes of action (specify): <b>8</b>					
5. This case <input type="checkbox"/> is <input type="checkbox"/> is not a class action suit. <b>9</b>					
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.) Date: <b>10</b>					
(TYPE OR PRINT NAME) <b>10</b> (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)					
NOTICE • Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions. • File this cover sheet in addition to any cover sheet required by local court rule. • If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding. • Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.					

Directions

- Find the number on the sample form. *Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in blue or black ink.

DO NOT USE GEL PENS.

1. Write the name, address and phone number of all Plaintiffs.
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:  
 Street: 300 Starr Avenue  
 Mailing: 300 Starr Avenue  
 City & Zip: Turlock, CA 95380
3. The case name is the plaintiff's last name vs. defendant's last name. If there is more than one plaintiff or defendant, use the name of the primary or main person in the case. (*Example: Smith vs. Johnson*)
4. Check "Limited" if the amount owed is under \$25,000.
5. Check the box that applies under the category "Unlawful Detainer": Chose either "Residential" or "Commercial" here. Detainer"
6. Your case should not be complex. Check the "is not" box and do not check boxes (a) thru (f).
7. Check box (a) if you are seeking money. Check box (b) if you are requesting other help such as eviction of the tenant.
8. Write how many causes of action. For example, write "1" if this is only an eviction.
9. Check the "is not" box since an eviction is not a class action lawsuit.
10. Fill in the date, type or print your name and sign. All Plaintiffs must sign their name here.

# SUMMONS-UNLAWFUL DETAINER-EVICTION

(SUM-130 - Page 1)

### Directions

- Find the number on the sample form.
- *Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink. **DO NOT USE GEL PENS.**

The clerk will assign a case number at the time the documents are filed

FOR COURT USE ONLY  
(NOLO PARA USO DE LA CORTE)

Leave this area blank

## SUMMONS (CITACIÓN JUDICIAL)

SUM-130

### UNLAWFUL DETAINER—EVICTION

#### (RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)

#### NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

1

#### YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

2

**NOTICE:** You have been sued. The court may decide against you without your being heard unless you respond within 5 days. You have 5 DAYS, not counting Saturdays and Sundays and other judicial holidays, after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services website ([www.lawhelpca.org](http://www.lawhelpca.org)), the California Courts Online Self-Help Center ([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), or by contacting your local court or county law association.

**FEE WAIVER:** If you cannot pay the filing fee, ask the clerk for a fee waiver form. **NOTE:** The court has a statutory lien for unpaid fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

**AVISO:** Usted ha sido demandado. Si no responde dentro de 5 días, el tribunal puede emitir un fallo en su contra sin una audiencia. Una vez que le entreguen esta citación y papeles legales, solo tiene 5 DÍAS, sin contar sábados y domingos y otros días festivos del tribunal, para presentar una respuesta por escrito en este tribunal y hacer que se entregue una copia al demandante.

Una carta o una llamada telefónica no lo protege. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.courts.ca.gov](http://www.courts.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no presenta su respuesta a tiempo, puede perder el caso por falta de comparecencia y se le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California ([www.courts.ca.gov](http://www.courts.ca.gov)) o pidiéndoles en contacto con la corte o el colegio de abogados local.

**EXENCIÓN DE CUOTAS:** Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos eventuales con un gravamen sobre cualquier cantidad de \$10,000 o más recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

1. The name and address of the court is:  
(El nombre y dirección de la corte es):

3

4

CASE NUMBER (Número del caso):

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

5

Form Adopted by the Judicial Council of California  
9/10/10 (Rev. January 7, 2010)

SUMMONS—UNLAWFUL DETAINER—EVICTION

Court of Civil Procedure, (916) 321-4545, TDD  
[www.courts.ca.gov](http://www.courts.ca.gov)

1. Write the name of each person you are suing (Defendant). The name(s) must be spelled exactly as they are spelled on the Complaint. If you marked "Does" on the Complaint, they also need to be added here. Example "Does 1-10".
2. You are the Plaintiff. Write your name here along with any additional Plaintiffs. The names must be spelled exactly as they are spelled on the Complaint.
3. If not already completed for you, write in the name of the county = Stanislaus.
4. If not already completed for you, write in the address of the Court = 300 Starr Avenue, Turlock, CA 95380
5. Write your name (and any other Plaintiff's names), address and phone number.

See next page for instructions how to complete Page 2



# SUMMONS-UNLAWFUL DETAINER-EVICTION

(SUM-130 – Page 2)

**SUM-130**

PLAINTIFF (Name): 6	CASE NUMBER
DEFENDANT (Name): 7	Leave blank

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400-6415)  did not  did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 4 below.)

8

4. Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

a. Assistant's name: \_\_\_\_\_

b. Telephone no.: \_\_\_\_\_

c. Street address, city, and zip: \_\_\_\_\_

d. County of registration: \_\_\_\_\_

e. Registration no.: \_\_\_\_\_

f. Registration expires on (date) : \_\_\_\_\_

Date: Leave blank Clerk, by Leave blank Deputy (Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons (form POS-010).)

[SEAL]

5. NOTICE TO THE PERSON SERVED: You are served

a.  as an individual defendant.

b.  as the person sued under the fictitious name of (specify): \_\_\_\_\_

c.  as an occupant.

d.  on behalf of (specify): \_\_\_\_\_

under:  CCP 416.10 (corporation).  CCP 416.60 (minor).  
 CCP 416.20 (defunct corporation).  CCP 416.70 (conservatee).  
 CCP 416.40 (association or partnership).  CCP 416.90 (authorized person).  
 CCP 415.46 (occupant).  other (specify): \_\_\_\_\_

e.  by personal delivery on (date): \_\_\_\_\_

SUM-130 (Rev. January 1, 2022) Page 2 of 2

Directions

- Find the number on the sample form. *Example: 6*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink.

DO NOT USE GEL PENS.

6. Write in your name and any other Plaintiff's names. Names must be spelled exactly as they are spelled on the Complaint.
7. Write in the Defendants names. Names must be spelled exactly as they are spelled on the Complaint.
8. Check the box indicating if someone "did not" or "did" give you advice for pay.
9. Mark box (c) "as an occupant". Write your name after Plaintiff. Write the name of the Defendant(s).



**NOTICE OF REVIEW FOR  
COURT'S MOTION RE:  
DISMISSAL  
(UNLAWFUL DETAINER  
CASES ONLY)**  
(CV011)

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME, ADDRESS, PHONE)  <b>1</b>  Attorney for: Plaintiff SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS Street Address: 300 Starr Avenue, Turlock, CA 95380 <b>2</b> Mailing Address: 300 Starr Avenue, Turlock, CA 95380	Leave this area blank
Plaintiff: <b>3</b> Defendant:	
NOTICE OF REVIEW FOR COURT'S MOTION RE: DISMISSAL (UNLAWFUL DETAINER CASES ONLY)	Case Number: Leave blank

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that this matter is set for a review for court's motion regarding dismissal of unlawful detainer case proceedings.

Leave blank \_\_\_\_\_ in Department 19 at the Courthouse located at 300 Starr Avenue, Turlock, California.

Dated: Leave blank                      By \_\_\_\_\_ Do not sign  
Deputy Clerk

**PLEASE NOTE: THIS IS NOT A TRIAL DATE. PARTIES NEED TO FILE THE APPROPRIATE PAPERWORK IN ACCORDANCE WITH THE SUMMONS AND COMPLAINT. FAILURE TO DO SO MAY RESULT IN A JUDGMENT BEING ENTERED AGAINST YOU BEFORE THIS HEARING DATE.**

CV011 Mandatory Form Rev 11/2015

Directions

- Find the number on the sample form. *Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink.

**DO NOT USE GEL PENS.**

1. Write your name, address and phone number. Make sure to include any others who are suing the tenants.
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:  
 Street: 300 Starr Avenue  
 Mailing: 300 Starr Avenue  
 City & Zip: Turlock, CA 95380
3. Write the name of each Plaintiff exactly as you listed them on the Complaint. Also write all Defendants' names exactly as you listed them on the Complaint. All name spellings must match the Complaint.

**The Clerk will complete the rest of the document, sign it and assign a hearing date. This hearing is not your trial. Your case will be set as a "case review" so that the judge can review the status of the case and dismiss it if no action is taken in the case or if you do not file additional documents to keep the case moving along.**

UD-101										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: x-small;">                 ATTORNEY UNEMPLOYED WITHOUT ATTORNEY                  NAME: _____                  FIRM NAME: _____                  STREET ADDRESS: <b>1</b> _____                  CITY: _____ STATE: _____ ZIP CODE: _____                  TELEPHONE NO.: _____ FAX NO: _____                  E-MAIL ADDRESS: _____                  ATTORNEY FIRM NAME: _____             </td> <td style="width: 40%;"></td> </tr> <tr> <td style="font-size: x-small;">                 SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____                  STREET ADDRESS: _____                  MAILING ADDRESS: _____                  CITY AND ZIP CODE: _____                  COUNTY NAME: _____             </td> <td style="text-align: center; vertical-align: middle; font-size: 2em;"><b>2</b></td> </tr> <tr> <td style="font-size: x-small;">                 PLAINTIFF: _____                  DEFENDANT: _____             </td> <td style="text-align: center; vertical-align: middle; font-size: 2em;"><b>3</b></td> </tr> </table>	ATTORNEY UNEMPLOYED WITHOUT ATTORNEY NAME: _____ FIRM NAME: _____ STREET ADDRESS: <b>1</b> _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO: _____ E-MAIL ADDRESS: _____ ATTORNEY FIRM NAME: _____		SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ COUNTY NAME: _____	<b>2</b>	PLAINTIFF: _____ DEFENDANT: _____	<b>3</b>	<div style="border: 1px solid black; padding: 10px; font-size: 1.2em;">                 Leave this area blank             </div>			
ATTORNEY UNEMPLOYED WITHOUT ATTORNEY NAME: _____ FIRM NAME: _____ STREET ADDRESS: <b>1</b> _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO: _____ E-MAIL ADDRESS: _____ ATTORNEY FIRM NAME: _____										
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ COUNTY NAME: _____	<b>2</b>									
PLAINTIFF: _____ DEFENDANT: _____	<b>3</b>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; font-weight: bold; font-size: 0.8em;">                 PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER             </td> <td style="text-align: center; font-size: 1.2em;">                 Leave blank             </td> </tr> </table>		PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER	Leave blank							
PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER	Leave blank									
<p style="font-size: x-small;">All plaintiffs in unlawful detainer proceedings must file and serve this form. Filing this form complies with the requirement in Code of Civil Procedure section 1179.01.5(c).</p> <ul style="list-style-type: none"> <li>• Serve this form and any attachments to it with the summons.</li> <li>• If a summons has already been served without this form, then serve it by mail or any other means of service authorized by law.</li> <li>• If defendant has answered prior to service of this form, there is no requirement for defendant to respond to the supplemental allegations before trial.</li> </ul> <p style="font-size: x-small;">To obtain a judgment in an unlawful detainer action for nonpayment of rent on a residential property, a plaintiff must verify that no rental assistance or other financial compensation has been received for the amount demanded in the notice or accruing afterward, and that no application is pending for such assistance. To obtain a default judgment, plaintiff must use Verification by Landlord Regarding Rental Assistance—Unlawful Detainer (form UD-120) to make this verification and provide other information required by statute.</p>										
<p>1. <b>PLAINTIFF</b> (name each): <b>4</b></p> <p style="margin-left: 20px;">_____</p> <p style="margin-left: 20px;"><b>5</b></p> <p style="margin-left: 20px;">_____</p> <p>alleges causes of action in the complaint filed in this action against DEFENDANT (name each):</p> <p style="margin-left: 20px;">_____</p> <p>2. <b>Mandatory cover sheet allegations</b> (Code Civ. Proc., § 1179.01.5(c))</p> <p>a. This action seeks possession of real property that is (check all that apply): <input type="checkbox"/> Residential <input type="checkbox"/> Commercial  <small>(If "residential" is checked, complete items 3 and 4 and all remaining items that apply to this action. If only "commercial" is checked, no further items need to be completed except the signature and verification on page 6; a summons may be issued.)</small></p> <p>b. This action is based, in whole or in part, on an alleged default in payment of rent or other charges. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. <b>Item 3 has been removed as it only applied before July 1, 2022.</b></p>										
<div style="border: 1px solid black; padding: 10px; font-weight: bold; font-size: 1.1em;">                 THIS SPACE INTENTIONALLY LEFT BLANK             </div>										
<table style="width: 100%;"> <tr> <td style="width: 33%;">Form adopted by amended 6 line</td> <td style="width: 33%; text-align: center;"><b>PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER</b></td> <td style="width: 33%; text-align: right;">Code of Civil Procedure, § 1179.01.5(c)</td> </tr> <tr> <td style="width: 33%;">Judicial Branch of California</td> <td></td> <td style="width: 33%; text-align: right;">www.courtinfo.ca.gov</td> </tr> <tr> <td style="width: 33%;">UD-101 (Rev. July 10, 2022)</td> <td></td> <td></td> </tr> </table>		Form adopted by amended 6 line	<b>PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER</b>	Code of Civil Procedure, § 1179.01.5(c)	Judicial Branch of California		www.courtinfo.ca.gov	UD-101 (Rev. July 10, 2022)		
Form adopted by amended 6 line	<b>PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER</b>	Code of Civil Procedure, § 1179.01.5(c)								
Judicial Branch of California		www.courtinfo.ca.gov								
UD-101 (Rev. July 10, 2022)										

## PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS -UNLAWFUL DETAINER- (UD-101)

### Directions

- Find the number on the sample form. *Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink.

DO NOT USE GEL PENS.

1. Write name, address and phone number of all plaintiffs (persons who are evicting the tenant(s)).
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:  
 Street: 300 Starr Avenue  
 Mailing: 300 Starr Avenue  
 City & Zip: Turlock, CA 95380
3. Write the name of the case (all Plaintiffs and all Defendants).
4. Write the name of each Plaintiff exactly as you listed them on the Complaint.
5. Write EACH of the Defendants' names exactly as you listed them on the Complaint.
6. Date, print your name and sign the last page of this form.
7. You must also sign the verification section on the last page.

**\*\*Please note:** You may need to seek legal advice for information on completing the rest of the items on this form. The Clerk's Office cannot give legal advice and can only guide you to how to format the paperwork. See next page for additional information.



# PREJUDGMENT CLAIM OF RIGHT TO POSSESSION – UNLAWFUL DETAINER (CP-10.5)

## Directions

Leave this form (both pages)  
blank. This form may be  
served on unknown tenants as  
part of the entire packet if  
there are tenants other than  
the named defendant(s) and  
you would like to have them  
evicted too. It must be served  
blank along with the Summons,  
Complaint, Civil Case Cover  
Sheet, AND Notice of Review re  
Court's Motion to Dismiss.

CP-10.5

**NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.**

- If you live here and you do not complete and submit this form, you may be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
- You must file this form within 10 days of the date of service listed in the box on the right hand side of this form.
  - Exception:** If you are a tenant being evicted after your landlord lost the property to foreclosure, the 10-day deadline does not apply to you and you may file this form at any time before judgment is entered.
- If you file this form, your claim will be determined in the eviction action against the persons named in the complaint.
- If you do not file this form, you may be evicted without further hearing.
- If you are a tenant being evicted due to foreclosure, you have additional rights and should seek legal advice immediately.

CURRENT OR CLAIMANT'S ATTORNEY (Name and Address)      TELEPHONE NO.	FOR COURT USE ONLY
ATTORNEY FOR (Name)	
NAME OF COURT: STREET ADDRESS MAILING ADDRESS CITY AND ZIP CODE BRANCH NAME	
Plaintiff: Defendant:	
<b>PREJUDGMENT CLAIM OF RIGHT TO POSSESSION</b>	CASE NUMBER
Complete this form only if ALL of these statements are true: 1. You are <b>NOT</b> named in the accompanying Summons and Complaint. 2. You occupied the subject premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is in the accompanying Summons and Complaint.) 3. You still occupy the subject premises.	(To be completed by the process server) DATE OF SERVICE: (Date that form is served or delivered, posted, and mailed by the officer or process server)

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

- My name is (specify): \_\_\_\_\_
- I reside at (street address, unit no., city and ZIP code): \_\_\_\_\_
- The address of "the premises" subject to this claim is (address): \_\_\_\_\_
- On (insert date): \_\_\_\_\_, the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (This date is in the accompanying Summons and Complaint.)
- I occupied the premises on the date the complaint was filed (the date in item 4). I have continued to occupy the premises ever since.
- I was at least 18 years of age on the date the complaint was filed (the date in item 4).
- I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (the date in item 4).
- I was not named in the Summons and Complaint.
- I understand that if I make this claim of possession, I will be added as a defendant to the unlawful detainer (eviction) action.
- (Filing fee) I understand that I must go to the court and pay a filing fee of \$ \_\_\_\_\_ or file with the court an "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file the form for waiver of court fees, I will not be entitled to make a claim of right to possession. (Continued on reverse)

CP-10.5 (Rev. June 10, 2010)      **PREJUDGMENT CLAIM OF RIGHT TO POSSESSION**      Code of Civil Procedure, §§ 415.46, 415.49, 415.50, 415.52

CP-10.5

Plaintiff: Defendant:	CASE NUMBER
--------------------------	-------------

- If my landlord lost this property to foreclosure, I understand that I can file this form at any time before judgment is entered, and that I have additional rights and should seek legal advice.
- I understand that I will have five days (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.
 

**NOTICE: If you fail to file this claim, you may be evicted without further hearing.**
- Rental agreement. I have (check all that apply to you):
  - an oral or written rental agreement with the landlord.
  - an oral or written rental agreement with a person other than the landlord.
  - an oral or written rental agreement with the former owner who lost the property to foreclosure.
  - other (specify): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**WARNING: Perjury is a felony punishable by imprisonment in the state prison.**

Date: \_\_\_\_\_

(TYPE OR PRINT NAME)	(SIGNATURE OF CLAIMANT)
----------------------	-------------------------

**NOTICE:** If you file this claim to possession, the unlawful detainer action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, triple damages.

— NOTICE TO OCCUPANTS —

**YOU MUST ACT AT ONCE if all the following are true:**

- You are **NOT** named in the accompanying Summons and Complaint.
- You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed.
- You still occupy the premises.

You can complete and **SUBMIT THIS CLAIM FORM WITHIN 10 DAYS** from the date of service (on the form) at the court where the unlawful detainer (eviction) complaint was filed. If you are a tenant and your landlord lost the property you occupy through foreclosure, this 10-day deadline does not apply to you. You may file this form at any time before judgment is entered. You should seek legal advice immediately.

If you do not complete and submit this form (and pay a filing fee or file a fee waiver form if you cannot pay the fee), **YOU WILL BE EVICTED.**

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. If you do not file this claim, you may be evicted without a hearing.

CP-10.5 (Rev. June 10, 2010)      **PREJUDGMENT CLAIM OF RIGHT TO POSSESSION**      Page Two



# PROOF OF SERVICE OF SUMMONS

(POS-010)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address)		FOR COURT USE ONLY	
<b>1</b>			
TELEPHONE NO. _____ FAX NO. (Optional) _____			
E-MAIL ADDRESS (Optional) _____			
ATTORNEY FOR (Name) _____			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS			
STREET ADDRESS: 300 Starr Avenue			
MAILING ADDRESS: 300 Starr Avenue			
CITY AND ZIP CODE: Turlock, CA 95380		<b>2</b>	
BRANCH NAME _____			
PLAINTIFF/PETITIONER: _____		CASE NUMBER _____	
DEFENDANT/RESPONDENT: _____		<b>Write in your case #</b>	
<b>PROOF OF SERVICE OF SUMMONS</b>		Ref. No. or File No. _____	

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:
  - summons **4**
  - complaint
  - Alternative Dispute Resolution (ADR) package
  - Civil Case Cover Sheet (served in complex cases only)
  - cross-complaint
  - other (specify documents): \_\_\_\_\_
- Party served (specify name of party as shown on documents served): \_\_\_\_\_
  - Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a): \_\_\_\_\_
- Address where the party was served: **6**  
\_\_\_\_\_
- I served the party (check proper box) **7**
  - by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): \_\_\_\_\_ (2) at (time): \_\_\_\_\_
  - by substituted service. On (date): \_\_\_\_\_ at (time): \_\_\_\_\_ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3): \_\_\_\_\_
    - (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): \_\_\_\_\_ from (city): \_\_\_\_\_ or  a declaration of mailing is attached.
    - I attach a declaration of diligence stating actions taken first to attempt personal service.

Page 1 of 2

Form Adopted by Honorable Vice  
Judicial Council of California  
POS-010 (Rev. January 1, 2007)

**PROOF OF SERVICE OF SUMMONS**

Code of Civil Procedure, § 417.10

### Directions

- Find the number on the sample form. *Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink.

DO NOT USE GEL PENS.

Note: The person who is serving the documents for you must be over the age of 18 and cannot be a party in the case.

The person serving the documents must be the one who completes this form for you.

- Write your name, address and phone number. Make sure to include any others who are suing the tenants.
- If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:  
Street: 300 Starr Avenue  
Mailing: 300 Starr Avenue  
City & Zip: Turlock, CA 95380
- Write your name as the Plaintiff, and the names of the other plaintiffs if any. After Defendant, write the name(s) of all adults living in the residence (house, apartment). If there are adults living in the residence whose names you do not know, check DOES 1 TO \_\_\_\_" and fill in the number of additional defendants you believe may be living there also.
- Check all the boxes that apply. You must tell the Court what documents were served on the Defendant(s).
- Write in the name of the person who was served. You must use a separate Proof of Service for each person being served. If the documents were handed to someone other than the Defendant, you will list that person's name in box b.
- Add the address where the Defendant was served.
- Check one of the boxes on pages 1 or 2 to tell the Court *how* the Defendant was served.

**See next page for instructions how to complete Page 2**

# PROOF OF SERVICE OF SUMMONS

(POS-010)

### Directions

- Find the number on the sample form. *Example: 1*
- Go to the same number below to find out how to fill out the form.
- Type or print legibly in **blue** or **black** ink.

DO NOT USE GEL PENS.

POS-010

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: <b>8</b>	CASE NUMBER: <b>Write in your case #</b>
---	---

5. c.  by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.

(1) on (date): \_\_\_\_\_ (2) from (city): \_\_\_\_\_

(3)  with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)

(4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d.  by other means (specify means of service and authorizing code section): \_\_\_\_\_

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

9 a.  as an individual defendant.

b.  as the person sued under the fictitious name of (specify): \_\_\_\_\_

c.  as occupant.

d.  On behalf of (specify): \_\_\_\_\_

under the following Code of Civil Procedure section:

<input type="checkbox"/> 416.10 (corporation)	<input type="checkbox"/> 415.95 (business organization, form unknown)
<input type="checkbox"/> 416.20 (defunct corporation)	<input type="checkbox"/> 416.60 (minor)
<input type="checkbox"/> 416.30 (joint stock company/association)	<input type="checkbox"/> 416.70 (ward or conservatee)
<input type="checkbox"/> 416.40 (association or partnership)	<input type="checkbox"/> 416.80 (authorized person)
<input type="checkbox"/> 416.50 (public entity)	<input type="checkbox"/> 415.46 (occupant)
	<input type="checkbox"/> other: _____

10

7. Person who served papers

a. Name: **11** \_\_\_\_\_

b. Address: \_\_\_\_\_

c. Telephone number: \_\_\_\_\_

d. The fee for service was: \$ \_\_\_\_\_

e. I am:

12 (1)  not a registered California process server.

(2)  exempt from registration under Business and Professions Code section 22350(b).

(3)  a registered California process server:

(i)  owner  employee  independent contractor.

(ii) Registration No.: \_\_\_\_\_

(iii) County: \_\_\_\_\_

13 8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **14** \_\_\_\_\_

\_\_\_\_\_  
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

\_\_\_\_\_  
(SIGNATURE)

POS-010 Rev. January 1, 2007 Page 2 of 2

**PROOF OF SERVICE OF SUMMONS**

- Write in the name(s) of the Plaintiff and the name(s) of the Defendant.
- Check the "as occupant" box if you served a tenant/occupant. If not, check the box that applies.
- If you checked #6(d), you must check the sub boxes that apply.
- The person who served the paperwork for you must write in their name, address, telephone number and the fee that they charged you.
- A box must be checked that applies.
- Box #8 or #9 must be checked. #8 – for a person who is not a California Sheriff or Marshal.
- The person who served the documents for you must print their name and sign this form. They should also write in the date they signed this Proof of Service of Summons form.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</b> STREET ADDRESS: 300 Starr Avenue MAILING ADDRESS: 300 Starr Avenue CITY AND ZIP CODE: Turlock, CA 95380 BRANCH NAME: Turlock Division	
PLAINTIFF: DEFENDANT: <input type="checkbox"/> DOES 1 TO	
<b>COMPLAINT—UNLAWFUL DETAINER*</b> <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Amendment Number):	CASE NUMBER:
<b>Jurisdiction (check all that apply):</b> <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (amount demanded does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$35,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint ( <i>check all that apply</i> ): <input type="checkbox"/> from unlawful detainer to general unlimited civil (possession not in issue). <input type="checkbox"/> from limited to unlimited. <input type="checkbox"/> from unlawful detainer to general limited civil (possession not in issue). <input type="checkbox"/> from unlimited to limited.	

1. PLAINTIFF (name each):

*alleges causes of action against DEFENDANT (name each):*

2. a. Plaintiff is (1)  an individual over the age of 18 years. (4)  a partnership.  
 (2)  a public agency. (5)  a corporation.  
 (3)  other (*specify*):
- b.  Plaintiff has complied with the fictitious business name laws and is doing business under the fictitious name of (*specify*):
3. a. *The venue is the court named above because defendant named above is in possession of the premises located at (street address, apt. no., city, zip code, and county):*
- b. The premises in 3a are (*check one*)  
 (1)  within the city limits of (*name of city*):  
 (2)  within the unincorporated area of (*name of county*):
- c. The premises in 3a were constructed in (*approximate year*):
4. Plaintiffs interest in the premises is  as owner  other (*specify*):
5. The true names and capacities of defendants sued as Does are unknown to plaintiff.

\* NOTE: Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).



PLAINTIFF: DEFENDANT:	CASE NUMBER:
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6. a. On or about *(date)*:  
*defendant (name each)*:
- (1) agreed to rent the premises as a  month-to-month tenancy  other tenancy *(specify)*:  
(2) agreed to pay rent of \$ \_\_\_\_\_ payable  monthly  other *(specify frequency)*:  
(3) agreed to pay rent on the  first of the month  other day *(specify)*:
- b. This  written  oral agreement was made with  
(1)  plaintiff. (3)  plaintiff's predecessor in interest.  
(2)  plaintiff's agent. (4)  Other *(specify)*:
- c.  The defendants not named in item 6a are  
(1)  subtenants.  
(2)  assignees.  
(3)  Other *(specify)*:
- d.  The agreement was later changed as follows *(specify)*:
- e.  A copy of the written agreement, including any addenda or attachments that form the basis of this complaint, is attached and labeled Exhibit 1. *(Required for residential property, unless item 6f is checked. See Code Civ. Proc., § 1166.)*
- f.  *(For residential property)* A copy of the written agreement is **not** attached because *(specify reason)*:  
(1)  the written agreement is not in the possession of the landlord or the landlord's employees or agents.  
(2)  this action is solely for nonpayment of rent *(Code Civ. Proc., § 1161(2))*.
7. The tenancy described in 6 *(complete (a) or (b))*  
a.  is **not** subject to the Tenant Protection Act of 2019 (Civil Code, § 1946.2). The specific subpart supporting why tenancy is exempt is *(specify)*:  
b.  is subject to the Tenant Protection Act of 2019.
8. *(Complete only if item 7b is checked. Check all applicable boxes.)*  
a.  The tenancy was terminated for at-fault just cause (Civil Code, § 1946.2(b)(1)).  
b.  The tenancy was terminated for no-fault just cause (Civil Code, § 1946.2(b)(2)) and the plaintiff *(check one)*  
(1)  waived the payment of rent for the final month of the tenancy, before the rent came due, under section 1946.2(d)(2), in the amount of \$ \_\_\_\_\_  
(2)  provided a direct payment of one month's rent under section 1946.2(d)(3), equaling \$ \_\_\_\_\_ to *(name each defendant and amount given to each)*:
- c.  Because defendant failed to vacate, plaintiff is seeking to recover the total amount in 8b as damages in this action.
9. a.  Defendant *(name each)*:
- was served the following notice on the same date and in the same manner:
- (1)  3-day notice to pay rent or quit (5)  3-day notice to perform covenants or quit  
*(not applicable if item 7b checked)*  
(2)  30-day notice to quit (6)  3-day notice to quit under Civil Code, § 1946.2(c)  
Prior required notice to perform covenants served *(date)*:  
(3)  60-day notice to quit (7)  Other *(specify)*:  
(4)  3-day notice to quit

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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9. b. (1) On *(date)*: \_\_\_\_\_ the period stated in the notice checked in 9a expired at the end of the day.  
 (2) Defendants failed to comply with the requirements of the notice by that date.
- c. All facts stated in the notice are true.
- d.  The notice included an election of forfeiture.
- e.  A copy of the notice is attached and labeled Exhibit 2. *(Required for residential property. See Code Civ. Proc., § 1166. When Civil Code, § 1946.2(c), applies and two notices are required, provide copies of both.)*
- f.  One or more defendants were served (1) with the prior required notice under Civil Code, § 1946.2(c), (2) with a different notice, (3) on a different date, or (4) in a different manner, as stated in Attachment 10c. *(Check item 10c and attach a statement providing the information required by items 9a–e and 10 for each defendant and notice.)*
10. a.  The notice in item 9a was served on the defendant named in item 9a as follows:
- (1)  By personally handing a copy to defendant on *(date)*: \_\_\_\_\_
- (2)  By leaving a copy with *(name or description)*: \_\_\_\_\_  
 a person of suitable age and discretion, on *(date)*: \_\_\_\_\_ at defendant's  
 residence  business AND mailing a copy to defendant at defendant's place of residence  
 on *(date)*: \_\_\_\_\_ because defendant cannot be found at defendant's residence or usual place of business.
- (3)  By posting a copy on the premises on *(date)*: \_\_\_\_\_  
 AND giving a copy to a person found residing at the premises AND mailing a copy to defendant at the premises  
 on *(date)*: \_\_\_\_\_
- (a)  because defendant's residence and usual place of business cannot be ascertained OR
- (b)  because no person of suitable age or discretion can be found there.
- (4)  *(Not for 3-day notice; see Civil Code, § 1946, before using)* By sending a copy by certified or registered mail addressed to defendant on *(date)*: \_\_\_\_\_
- (5)  *(Not for residential tenancies; see Civil Code, § 1953, before using)* In the manner specified in a written commercial lease between the parties
- b.  *(Name)*: \_\_\_\_\_  
 was served on behalf of all defendants who signed a joint written rental agreement.
- c.  Information about service of notice on the defendants alleged in item 9f is stated in Attachment 10c.
- d.  Proof of service of the notice in item 9a is attached and labeled Exhibit 3.
11.  Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.
12.  At the time the 3-day notice to pay rent or quit was served, the amount of **rent due** was \$ \_\_\_\_\_
13.  The fair rental value of the premises is \$ \_\_\_\_\_ per day.
14.  Defendant's continued possession is malicious, and plaintiff is entitled to statutory damages under Code of Civil Procedure section 1174(b). *(State specific facts supporting a claim up to \$600 in Attachment 14.)*
15.  A written agreement between the parties provides for attorney fees.
16.  Defendant's tenancy is subject to the local rent control or eviction control ordinance of *(city or county, title of ordinance, and date of passage)*: \_\_\_\_\_

Plaintiff has met all applicable requirements of the ordinances.

17.  Other allegations are stated in Attachment 17.
18. Plaintiff accepts the jurisdictional limit, if any, of the court.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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**19. PLAINTIFF REQUESTS**

- a. possession of the premises.
- b. costs incurred in this proceeding:
- c.  past-due rent of \$
- d.  reasonable attorney fees.
- e.  forfeiture of the agreement.
- f.  damages in the amount of waived rent or relocation assistance as stated in item 8: \$
- g.  damages at the rate stated in item 13 from  
date:  
for each day that defendants remain in possession through entry of judgment.
- h.  statutory damages up to \$600 for the conduct alleged in item 14.
- i.  other (specify):

20.  Number of pages attached (specify):

**UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400–6415)**

21.  (Complete in all cases.) An unlawful detainer assistant  did not  did for compensation give advice or assistance with this form. (If declarant has received **any** help or advice for pay from an unlawful detainer assistant, complete a–f.)

- a. Assistant's name:
- b. Street address, city, and zip code:
- c. Telephone no.:
- d. County of registration:
- e. Registration no.:
- f. Expires on (date):

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PLAINTIFF OR ATTORNEY)
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**VERIFICATION**

*(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)*

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PLAINTIFF)
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
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**SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS**

STREET ADDRESS: 300 Starr Avenue  
 MAILING ADDRESS: 300 Starr Avenue  
 CITY AND ZIP CODE: Turlock, CA 95380  
 BRANCH NAME: Turlock Division

CASE NAME: \_\_\_\_\_

<b>CIVIL CASE COVER SHEET</b> <input type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$35,000)	<input type="checkbox"/> <b>Limited</b> (Amount demanded is \$35,000 or less)	<b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER:  JUDGE: DEPT.:
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*Items 1–6 below must be completed (see instructions on page 2).*

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. <input type="checkbox"/> Substantial amount of documentary evidence	d. <input type="checkbox"/> Large number of witnesses e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. <input type="checkbox"/> Substantial postjudgment judicial supervision
--	--

3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive

4. Number of causes of action (specify): \_\_\_\_\_

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: \_\_\_\_\_

_____ <small>(TYPE OR PRINT NAME)</small>	_____ <small>(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)</small>
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**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.



**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**CM-010**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**CASE TYPES AND EXAMPLES**

**Auto Tort**

- Auto (22)—Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
  - Medical Malpractice—Physicians & Surgeons
- Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
- Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

**Employment**

- Wrongful Termination (36)
- Other Employment (15)

**Contract**

- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease
    - Contract *(not unlawful detainer or wrongful eviction)*
- Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case—Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

**Real Property**

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

**Unlawful Detainer**

- Commercial (31)
- Residential (32)
  - Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

**Judicial Review**

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ—Administrative Mandamus
  - Writ—Mandamus on Limited Court Case Matter
  - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal—Labor Commissioner
- Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

**Enforcement of Judgment**

- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
- Confession of Judgment *(non-domestic relations)*
- Sister State Judgment
- Administrative Agency Award *(not unpaid taxes)*
- Petition/Certification of Entry of Judgment on Unpaid Taxes
- Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

- RICO (27)
- Other Complaint *(not specified above)* (42)
  - Declaratory Relief Only
  - Injunctive Relief Only *(non-harassment)*
  - Mechanics Lien
  - Other Commercial Complaint Case *(non-tort/non-complex)*
  - Other Civil Complaint *(non-tort/non-complex)*

**Miscellaneous Civil Petition**

- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief From Late Claim
  - Other Civil Petition



**SUMMONS—EVICTION**  
**(CITACIÓN JUDICIAL—DESALOJO)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**UNLAWFUL DETAINER / FORCIBLE DETAINER / FORCIBLE ENTRY**  
**(RETENCIÓN ILÍCITA DE UN INMUEBLE / RETENCIÓN FORZOSA / ENTRADA FORZOSA)**

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 5 days. You have 5 DAYS, not counting Saturdays and Sundays and other judicial holidays, after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. If this summons was served through the Secretary of State's Safe at Home address confidentiality program, you have 10 days from the date of service, not counting Saturdays and Sundays and other judicial holidays, to respond.

¡AVISO! Usted ha sido demandado. Si no responde dentro de 5 días, el tribunal puede emitir un fallo en su contra sin una audiencia. Una vez que le entreguen esta citación y papeles legales, solo tiene 5 DÍAS, sin contar sábado y domingo y otros días feriados del tribunal, para presentar una respuesta por escrito en este tribunal y hacer que se entregue una copia al demandante. Si la presente citación le ha sido entregado a través del programa de dirección confidencial del Secretario del Estado Seguro en Casa, tiene 10 días después de la fecha de entrega, sin contar sábado y domingo y otros días feriados del tribunal, para responder.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

Una carta o una llamada telefónica no lo protege. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no presenta su respuesta a tiempo, puede perder el caso por falta de comparecencia y se le podrá quitar su sueldo, dinero y bienes sin más advertencia.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services website ([www.lawhelpca.org](http://www.lawhelpca.org)), the California Courts Online Self-Help Center ([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), or by contacting your local court or county bar association.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpca.org/es](http://www.lawhelpca.org/es)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados local.

**FEE WAIVER:** If you cannot pay the filing fee, ask the clerk for a fee waiver form. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

**EXENCIÓN DE CUOTAS:** Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos con un gravamen sobre cualquier monto de \$10,000 ó más recibido mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

1. The name and address of the court is:  
*(El nombre y dirección de la corte es):*  
Stanislaus County Superior Court  
300 Starr Avenue, Turlock, CA 95380

CASE NUMBER (número de caso):

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: *(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):*



PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400–6415)  did not  did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 4 below.)

4. Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:
  
- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy  
 (Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
 (Para prueba de entrega de esta citación use el formulario Proof of Service of Summons (form POS-010).)



5. NOTICE TO THE PERSON SERVED: You are served
- a.  as an individual defendant.
  - b.  as the person sued under the fictitious name of (specify):
  - c.  as an occupant.
  - d.  on behalf of (specify):
    - under  CCP 416.10 (corporation).  CCP 416.60 (minor).
    - CCP 416.20 (defunct corporation).  CCP 416.70 (conservatee).
    - CCP 416.40 (association or partnership).  CCP 416.90 (authorized person).
    - CCP 415.46 (occupant).  other (specify):
  - e.  by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME, ADDRESS, PHONE)  Attorney for: Plaintiff	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</b>  Street Address: 300 Starr Avenue, Turlock, CA 95380 Mailing Address: 300 Starr Avenue, Turlock, CA 95380	
Plaintiff:  Defendant:	
<b>NOTICE OF REVIEW FOR COURT'S MOTION RE: DISMISSAL (UNLAWFUL DETAINER CASES ONLY)</b>	

**Case Number:**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that this matter is set for a review for court's motion regarding dismissal of unlawful detainer case proceedings on \_\_\_\_\_ at 8:30 a.m. in Department 19 at the Courthouse located at 300 Starr Avenue, Turlock, California.

Dated:

By \_\_\_\_\_  
Deputy Clerk

**PLEASE NOTE: THIS IS NOT A TRIAL DATE. PARTIES NEED TO FILE THE APPROPRIATE PAPERWORK IN ACCORDANCE WITH THE SUMMONS AND COMPLAINT. FAILURE TO DO SO MAY RESULT IN A JUDGMENT BEING ENTERED AGAINST YOU BEFORE THIS HEARING DATE.**

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</b> STREET ADDRESS: 300 Starr Avenue MAILING ADDRESS: 300 Starr Avenue CITY AND ZIP CODE: Turlock, CA 95380 BRANCH NAME: Turlock Division	
PLAINTIFF: DEFENDANT:	
<b>PLAINTIFF'S MANDATORY COVER SHEET AND          SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER</b>	
CASE NUMBER:	
<p><i>All plaintiffs in unlawful detainer proceedings must file and serve this form. Filing this form complies with the requirement in Code of Civil Procedure section 1179.01.5(c).</i></p> <ul style="list-style-type: none"> <li>• <i>Serve this form and any attachments to it with the summons.</i></li> <li>• <i>If a summons has already been served without this form, then serve it by mail or any other means of service authorized by law.</i></li> <li>• <i>If defendant has answered prior to service of this form, there is no requirement for defendant to respond to the supplemental allegations before trial.</i></li> </ul> <p><i>To obtain a judgment in an unlawful detainer action for nonpayment of rent on a residential property, a plaintiff must verify that no rental assistance or other financial compensation has been received for the amount demanded in the notice or accruing afterward, and that no application is pending for such assistance. To obtain a default judgment, plaintiff must use Verification by Landlord Regarding Rental Assistance—Unlawful Detainer (form UD-120) to make this verification and provide other information required by statute.</i></p>	

1. PLAINTIFF (name each):

alleges causes of action in the complaint filed in this action against DEFENDANT (name each):

2. Statutory cover sheet allegations (Code Civ. Proc., § 1179.01.5(c))

- a. This action seeks possession of real property that is (check all that apply)  residential  commercial.  
*(If "residential" is checked, complete all remaining items that apply to this action. If only "commercial" is checked, no further items need to be completed except the signature and verification on page 2.)*
- b. This action is based, in whole or in part, on an alleged default in payment of rent or other charges.  Yes  No

3.  Statements regarding rental assistance (Required in all actions based on nonpayment of rent or any other financial obligation. Plaintiff must answer all the questions in this item and, if later seeking a default judgment, will also need to file Verification Regarding Rental Assistance—Unlawful Detainer (form UD-120).)

- a. Has plaintiff received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint?  Yes  No
- b. Has plaintiff received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint?  Yes  No
- c. Does plaintiff have any pending application for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint?  Yes  No
- d. Does plaintiff have any pending application for rental assistance or other financial compensation from any other source for rent accruing after the date on the notice underlying the complaint?  Yes  No



PLAINTIFF: DEFENDANT:	CASE NUMBER:
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4.  **Other allegations** Plaintiff makes the following additional allegations: *(State any additional allegations below, with each allegation lettered in order, starting with (a), (b), (c), etc. If there is not enough space below, check the box below and use form MC-025, title it Attachment 4, and letter each allegation in order.)*  Other allegations are on form MC-025.

5.  Number of pages attached *(specify):*

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

▲ \_\_\_\_\_  
 (SIGNATURE OF PLAINTIFF OR ATTORNEY)

**VERIFICATION**

*(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)*

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

▲ \_\_\_\_\_  
 (SIGNATURE)

**NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.**

1. If you live here and you do not complete and submit this form, you may be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. You must file this form within 10 days of the date of service listed in the box on the right hand side of this form.
  - **Exception:** If you are a tenant being evicted after your landlord lost the property to foreclosure, the 10-day deadline does not apply to you and you may file this form at any time before judgment is entered.
3. If you file this form, your claim will be determined in the eviction action against the persons named in the complaint.
4. If you do not file this form, you may be evicted without further hearing.
5. If you are a tenant being evicted due to foreclosure, you have additional rights and should seek legal advice immediately.

CLAIMANT OR CLAIMANT'S ATTORNEY ( <i>Name and Address</i> ):      TELEPHONE NO.:   ATTORNEY FOR ( <i>Name</i> ):	<b>FOR COURT USE ONLY</b>
<b>NAME OF COURT:</b> SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS STREET ADDRESS: 300 Starr Avenue MAILING ADDRESS: 300 Starr Avenue CITY AND ZIP CODE: Turlock, CA 95380 BRANCH NAME: Turlock Division	
Plaintiff: Defendant:	
<b>PREJUDGMENT CLAIM OF RIGHT TO POSSESSION</b>	CASE NUMBER:
<b>Complete this form only if ALL of these statements are true:</b> 1. You are NOT named in the accompanying Summons and Complaint. 2. You occupied the subject premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is in the accompanying Summons and Complaint) 3. You still occupy the subject premises.	(To be completed by the process server) DATE OF SERVICE: (Date that form is served or delivered, posted, and mailed by the officer or process server)

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (*specify*):
2. I reside at (*street address, unit no., city and ZIP code*):
  
3. The address of "the premises" subject to this claim is (*address*):
  
4. On (*insert date*): \_\_\_\_\_, the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (*This date is in the accompanying Summons and Complaint.*)
5. I occupied the premises on the date the complaint was filed (*the date in item 4*). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (*the date in item 4*).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (*the date in item 4*).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (*Filing fee*) I understand that I must go to the court and pay a filing fee of \$ \_\_\_\_\_ or file with the court an "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file the form for waiver of court fees, I will not be entitled to make a claim of right to possession.

(Continued on reverse)

Plaintiff: Defendant:	CASE NUMBER:
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11. If my landlord lost this property to foreclosure, I understand that I can file this form at any time before judgment is entered, and that I have additional rights and should seek legal advice.
12. I understand that I will have *five days* (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

**NOTICE: If you fail to file this claim, you may be evicted without further hearing.**

13. **Rental agreement.** I have (*check all that apply to you*):

- a.  an oral or written rental agreement with the landlord.
- b.  an oral or written rental agreement with a person other than the landlord.
- c.  an oral or written rental agreement with the former owner who lost the property to foreclosure.
- d.  other (*explain*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**WARNING: Perjury is a felony punishable by imprisonment in the state prison.**

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF CLAIMANT)

**NOTICE: If you file this claim to possession, the unlawful detainer action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.**

**— NOTICE TO OCCUPANTS —**

**YOU MUST ACT AT ONCE if all the following are true:**

1. You are **NOT** named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed.
3. You still occupy the premises.

You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the form) at the court where the unlawful detainer (eviction) complaint was filed. If you are a tenant and your landlord lost the property you occupy through foreclosure, this 10-day deadline does not apply to you. You may file this form at any time before judgment is entered. You should seek legal advice immediately.

If you do not complete and submit this form (and pay a filing fee or file a fee waiver form if you cannot pay the fee), **YOU WILL BE EVICTED.**

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. *If you do not file this claim, you may be evicted without a hearing.*



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):     TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Stanislaus</b> STREET ADDRESS: 300 Starr Avenue MAILING ADDRESS: 300 Starr Avenue CITY AND ZIP CODE: Turlock, CA 95380 BRANCH NAME: _____	
PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:	CASE NUMBER:
<b>PROOF OF SERVICE OF SUMMONS</b>	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - a.  summons
  - b.  complaint
  - c.  Alternative Dispute Resolution (ADR) package
  - d.  Civil Case Cover Sheet (served in complex cases only)
  - e.  cross-complaint
  - f.  other (specify documents):
3.
  - a. Party served (specify name of party as shown on documents served):
  
  - b.  Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
5. I served the party (check proper box)
  - a.  **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): \_\_\_\_\_ (2) at (time): \_\_\_\_\_
  - b.  **by substituted service.** On (date): \_\_\_\_\_ at (time): \_\_\_\_\_ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
  - (1)  **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
  - (2)  **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
  - (3)  **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
  - (4)  I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): \_\_\_\_\_ from (city): \_\_\_\_\_ or  a declaration of mailing is attached.
  - (5)  I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

5. c.  **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on *(date)*: \_\_\_\_\_ (2) from *(city)*: \_\_\_\_\_
- (3)  with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d.  **by other means** (*specify means of service and authorizing code section*):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a.  as an individual defendant.
- b.  as the person sued under the fictitious name of (*specify*): \_\_\_\_\_
- c.  as occupant.
- d.  On behalf of (*specify*): \_\_\_\_\_

under the following Code of Civil Procedure section:

- |  |   |
|--|---|
| <input type="checkbox"/> 416.10 (corporation)<br><input type="checkbox"/> 416.20 (defunct corporation)<br><input type="checkbox"/> 416.30 (joint stock company/association)<br><input type="checkbox"/> 416.40 (association or partnership)<br><input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.95 (business organization, form unknown)<br><input type="checkbox"/> 416.60 (minor)<br><input type="checkbox"/> 416.70 (ward or conservatee)<br><input type="checkbox"/> 416.90 (authorized person)<br><input type="checkbox"/> 415.46 (occupant)<br><input type="checkbox"/> other: _____ |
|--|---|

7. **Person who served papers**

- a. Name: \_\_\_\_\_
- b. Address: \_\_\_\_\_
- c. Telephone number: \_\_\_\_\_
- d. **The fee for service was:** \$ \_\_\_\_\_
- e. I am:
- (1)  not a registered California process server.
- (2)  exempt from registration under Business and Professions Code section 22350(b).
- (3)  registered California process server:
- (i)  owner     employee     independent contractor.
- (ii) Registration No.: \_\_\_\_\_
- (iii) County: \_\_\_\_\_

8.  **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9.  **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_ ▶ \_\_\_\_\_

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)