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SHERIFF'S DEPARTMENT
 NOTICE TO VACATE

CASE NO.

TO: JUDGMENT DEBTOR, MEMBERS OF THE JUDGMENT DEBTOR'S HOUSEHOLD, AND ANY OCCUPANTS HOLDING UNDER THE JUDGMENT DEBTOR(S) :

BY VIRTUE OF A WRIT OF POSSESSION, A COPY OF WHICH IS ATTACHED HERETO, YOU ARE HEREBY ORDERED TO VACATE THE PREMISES DESCRIBED THEREIN ON OR BEFORE TUESDAY, THE 29TH DAY OF JUNE, 2010, AT 5:00 PM.

SHERIFF-CORONER
 CENTRAL DIVISION
 909 N. MAIN STREET, SUITE 2
 SANTA ANA, CA 92701
 714-569-3700

DATE MAILED 06-24-10

LOCATION SANTA ANA, CALIFORNIA.

BY _____, DEPUTY

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address): ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY CASE NUMBER:
CLAIM OF RIGHT TO POSSESSION AND NOTICE OF HEARING		NOTICE TO LEVYING OFFICER: <input type="checkbox"/> Claim granted <input type="checkbox"/> Claim denied Clerk, by _____ (For levying officer use only) Completed form was received on Date: _____ Time: _____ By: _____

Complete this form only if ALL of these statements are true:

1. You are NOT named in the accompanying form called Writ of Possession.
2. You occupied the premises on or before the date the unlawful detainer (eviction) action was filed. (The date is in the accompanying Writ of Possession.)
3. You still occupy the premises.
4. A Prejudgment Claim of Right to Possession form was NOT served with the Summons and Complaint.

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 Writ of Possession.)
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 complain was filed (the date in item 4).
8. I was not named in the Writ of Possession.
9. I understand that if I make this claim of possession, a COURT HEARING will be held to decide whether my claim will be granted.
10. (Filing fee) To obtain a court hearing on my claim, I understand that after I present this form to the levying officer I must go to the court and pay a filing fee or file with the court the form "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 within two court days, the court will immediately deny my claim.
11. (Immediate court hearing unless you deposit 15 days rent) To obtain a court hearing on my claim, I understand I must also deliver to the court a copy of this completed claim form or a receipt from the levying officer. I also understand the date of my hearing will be set immediately if I don't deliver to the court an amount equal to 15 days rent.

(Continued on reverse)

EJ-130

PLAINTIFF: <input style="width: 100%;" type="text"/> DEFENDANT: <input style="width: 100%;" type="text"/>	CASE NUMBER: <input style="width: 80%;" type="text"/>
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— Items continued from page 1—

21. Additional judgment debtor (name and last known address):

22. Notice of sale has been requested by (name and address):

23. Joint debtor was declared bound by the judgment (CCP 989-994)
 a. on (date): _____ a. on (date): _____
 b. name and address of joint debtor: _____ b. name and address of joint debtor: _____
 c. additional costs against certain joint debtors (itemize): _____

24. (Writ of Possession or Writ of Sale) Judgment was entered for the following:
 a. Possession of real property: The complaint was filed on (date): 05/17/10
 (Check (1) or (2)):
 (1) The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46.
 The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
 (2) The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.
 (a) \$ 52.50 was the daily rental value on the date the complaint was filed.
 (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following
 dates (specify): MONDAY - THURSDAY @ 10:30 AM DIVISION 008
 b. Possession of personal property.
 If delivery cannot be had, then for the value (itemize in 9e) specified in the judgment or supplemental order.
 c. Sale of personal property.
 d. Sale of real property.
 e. Description of property:

As determined by the Court

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (Form EJ-150).
 WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.
 WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.
 ► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

PLAINTIFF (Name): DEFENDANT (Name):	CASE NUMBER:
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12. I am filing my claim in the following manner (check the box that shows how you are filing your claim. Note that you must deliver to the court a copy of the claim form or a levying officer's receipt).
- a. (With 15 days rent payment) I presented this claim form to the sheriff, marshal or other levying officer AND within two court days I shall deliver to the court the following: (1) a copy of this completed claim form or a receipt, (2) the court filing fee or form for proceeding in forma pauperis and (3) an amount equal to 15 days rent. - OR -
 - b. (Without 15 days rent payment) I presented this claim form to the sheriff, marshal or other levying officer AND within two court days I shall deliver to the court the following: (1) a copy of this completed claim form or a receipt and (2) the court filing fee or form for proceeding in forma pauperis.

IMPORTANT: Do not take a copy of this claim form to the court unless you have first given the form to the sheriff, marshal or other levying officer

<small>(To be completed by the court)</small> Date of hearing: Address of court:	Time:	Dept. or Div.:	Room:
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NOTICE: If you fail to appear at this hearing you will be evicted without further hearing.

13. Rental agreement. I have (check all that apply to you):
- a. an oral rental agreement with the landlord.
 - b. a written rental agreement with the landlord.
 - c. an oral rental agreement with a person other than the landlord
 - d. a written rental agreement with a person other than the landlord.
 - e. 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 your claim to possession is found to be valid, the unlawful detainer (eviction) 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 form called Writ of Possession.
2. You occupied the premises on or before the date the unlawful detainer (eviction) action was filed. (The date is in the accompanying Writ of Possession.)
3. You still occupy the premises.
4. A Prejudgment Claim of Right to Possession form was NOT served with the Summons and Complaint.

You can complete and **SUBMIT THIS CLAIM FORM** (in person with identification)

1. Before the date of eviction at the sheriff's or marshal's office located at (address):
2. OR at the premises at the time of the eviction. (Give this form to the officer who comes to evict you.)

If you do not complete and submit this form (and pay a filing fee or file the form for proceeding in forma pauperis if you cannot pay the fee),

YOU WILL BE EVICTED along with the parties named in the writ.

After this form is properly filed, A HEARING WILL BE HELD to decide your claim. If you do not appear at the hearing, you will be evicted without a further hearing.