

STANISLAUS COUNTY SUPERIOR COURT
Turlock Division
www.stanct.org
(209) 530-3100

Revised 1/2016

Unlawful Detainer Complaint

This packet includes the necessary forms to initiate an eviction.

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

- Stanislaus County Superior Court
 - <http://www.stanct.org>
Local forms
 - <http://www.stanct.org>
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

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 01/2016

COMPLAINT – UNLAWFUL DETAINER

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

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 original Proof of Service shall be filed with the Court BEFORE Judgment can be entered****

SUMMONS – UNLAWFUL DETAINER

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

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

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

CIVIL CASE COVER SHEET

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

Court fees are as follows:

Forms - **\$.25**

Filing fee for cases under \$10,000 = **\$240.00**

Filing fee for cases between \$10,000 & \$25,000 = **\$385.00**

Filing fee for cases over \$25,000 = **\$435.00**

**** 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

1 original for the Court
1 copy for your records

REQUEST FOR ENTRY OF DEFAULT AND REQUEST FOR JUDGMENT

1 original for the Court
1 copy for your records

1 copy to be mailed to each Defendant

JUDGMENT BY DEFAULT BY CLERK (OR COURT) – UNLAWFUL DETAINER

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

1 original for the Court
1 copy for your records

1 copy to be mailed to each Defendant

****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****

JUDGMENT AFTER TRIAL BY COURT – UNLAWFUL DETAINER

1 original for the Court
1 copy to be returned to Plaintiff

1 copy to be mailed to each Defendant

FORMS NEEDED AFTER JUDGMENT HAS BEEN ENTERED

MEMORANDUM OF COSTS AFTER JUDGMENT

1 original for the Court
1 copy for your records

1 copy to be mailed to each Defendant

WRIT OF EXECUTION AND/OR POSSESSION

1 original plus 2 copies (3 copies for possession)
1 additional copy for the Court's file

****Original and ALL COPIES to be taken to the Sheriff for service****

Issuance fee - **\$25.00**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
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: _____	
CASE NAME: _____	
<input type="checkbox"/> CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <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.: _____

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:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <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) Non-PI/PD/WD (Other) Tort <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) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <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) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <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)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <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) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <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: _____

(TYPE OR PRINT NAME)
(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.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

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
(CITACION JUDICIAL)
UNLAWFUL DETAINER-EVICTION
(RETENCION ILICITA DE UN INMUEBLE-DESALOJO)**

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

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

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

You have 5 CALENDAR DAYS 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. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) 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.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. 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 Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **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.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. 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), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. 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. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte 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), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor 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 desechar el caso.

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

Stanislaus County Superior Court, California
300 Starr Avenue
Turlock, CA 95380

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):

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 6 on the next page.)

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, (POS-010)).

4. 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):

5. by personal delivery on (date):

[SEAL]

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

6. **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):

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

6. 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. 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
- (2) 30-day notice to quit
- (3) 60-day notice to quit
- (4) 3-day notice to perform covenants or quit
- (5) 3-day notice to quit
- (6) Other (specify):

- b. (1) On (date): the period stated in the notice 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.)

f. One or more defendants were served (1) with a different notice, (2) on a different date, or (3) in a different manner, as stated in Attachment 8c. (Check item 8c and attach a statement providing the information required by items 7a-e and 8 for each defendant.)

8. a. The notice in item 7a was served on the defendant named in item 7a 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 7f is stated in Attachment 8c.

d. Proof of service of the notice in item 7a is attached and labeled Exhibit 3.

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

9. Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.
10. At the time the 3-day notice to pay rent or quit was served, the amount of **rent due** was \$
11. The fair rental value of the premises is \$ _____ per day.
12. 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 12.)
13. A written agreement between the parties provides for attorney fees.
14. 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.

15. Other allegations are stated in Attachment 15.
16. Plaintiff accepts the jurisdictional limit, if any, of the court.

17. PLAINTIFF REQUESTS


- | | |
|--|---|
| a. possession of the premises. | f. <input type="checkbox"/> damages at the rate stated in item 11 from (date): _____ for each day that defendants remain in possession through entry of judgment. |
| b. costs incurred in this proceeding: | g. <input type="checkbox"/> statutory damages up to \$600 for the conduct alleged in item 12. |
| c. <input type="checkbox"/> past-due rent of \$ _____ | h. <input type="checkbox"/> other (specify): _____ |
| d. <input type="checkbox"/> reasonable attorney fees. | |
| e. <input type="checkbox"/> forfeiture of the agreement. | |

18. Number of pages attached (specify): _____

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

19. (Complete in all cases.) An unlawful detainer assistant 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, state:)
- | | |
|--|----------------------------|
| a. Assistant's name: | c. Telephone No.: |
| b. Street address, city, and zip code: | d. County of registration: |
| | e. Registration No.: |
| | f. Expires on (date): |

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 OF PLAINTIFF)

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

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 (Name and Address): TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):	CASE NUMBER:
NAME OF COURT: 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:	
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION	
Complete this form only if ALL of these statements are true: 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): _____	FOR COURT USE ONLY
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: _____	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
PROOF OF SERVICE OF SUMMONS	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) | <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"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <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)

CIVIL CASE COVER SHEET

(CM-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.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print, last name, first name, and address) 1 YOU/POWER OF ATTORNEY MAIL NO. ATTORNEY (Print Name)		CM-010 FROM COURT USE ONLY									
JURISDICTION COUNTY OF Stanislaus COURT ADDRESS: 300 Starr Avenue MAILING ADDRESS: 300 Starr Avenue CITY AND ZIP CODE: Turlock, CA 95380 2 BRANCH NAME:											
CASE NAME: 3											
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded in 200,000.00 or more) <input checked="" type="checkbox"/> Limited (Amount demanded in 200,000.00 or less)	Complex Case Designation <input type="checkbox"/> County <input type="checkbox"/> Justice <input type="checkbox"/> Filed with First Appearance by Defendant (Cal. Rules of Court, rule 8.402)	CASE NUMBER: JUDGE: COURT:									
Items 1-9 below should be completed from information on page 2.											
1. Check one box below for the case type that best describes THIS case: <table border="0"> <tr> <td> <input checked="" type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (20) <input type="checkbox"/> Uninsured/Underinsured (40) <input type="checkbox"/> Other PIP/PPWD (Personal Injury/Property Damage/Fire/Theft/Death) Tort: <input type="checkbox"/> Adhesion (24) <input type="checkbox"/> Product Liability (25) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIP/PPWD (28) </td> <td> <input type="checkbox"/> General: <input type="checkbox"/> Breach of contract/warranty (90) <input type="checkbox"/> Real estate (20) <input type="checkbox"/> Other tort/delict (10) <input type="checkbox"/> Maritime/Sea Commerce (19) <input type="checkbox"/> Other contract (27) </td> <td> <input type="checkbox"/> Provisionally Certified Small Litigation (Cal. Rules of Court, rules 8.403-8.404) <input type="checkbox"/> Assault/Tort against (20) <input type="checkbox"/> Construction (24) <input type="checkbox"/> Malpractice (25) <input type="checkbox"/> Securities/Investment (26) <input type="checkbox"/> Unlawful evictions arising from the above listed provisionally certified case types (13) </td> </tr> <tr> <td> <input type="checkbox"/> New PIP/PPWD (Other) Tort: <input type="checkbox"/> Business tort/delict/business practice (20) <input type="checkbox"/> Child spillover (24) <input type="checkbox"/> Defamation (18) <input type="checkbox"/> Fraud (14) <input type="checkbox"/> Intellectual property (17) <input type="checkbox"/> Negligence (20) <input type="checkbox"/> Other tort/delict (25) </td> <td> <input type="checkbox"/> Real Property: <input type="checkbox"/> Breach of lease/contract/condemnation (14) <input type="checkbox"/> Wrongful eviction (20) <input type="checkbox"/> Other real property (24) </td> <td> <input type="checkbox"/> Enforcement of judgment: <input type="checkbox"/> Subsequent judgment (20) </td> </tr> <tr> <td> <input type="checkbox"/> Employment: <input type="checkbox"/> Wrongful termination (20) <input type="checkbox"/> Other employment (14) </td> <td> <input type="checkbox"/> Voluntary Judgment: <input type="checkbox"/> Contractual (21) <input type="checkbox"/> Real estate (20) <input type="checkbox"/> Other (24) </td> <td> <input type="checkbox"/> Miscellaneous Civil Petition: <input type="checkbox"/> Petition to set aside judgment (20) <input type="checkbox"/> Petition to set aside judgment (20) <input type="checkbox"/> Other petition (not specified above) (13) </td> </tr> </table>			<input checked="" type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (20) <input type="checkbox"/> Uninsured/Underinsured (40) <input type="checkbox"/> Other PIP/PPWD (Personal Injury/Property Damage/Fire/Theft/Death) Tort: <input type="checkbox"/> Adhesion (24) <input type="checkbox"/> Product Liability (25) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIP/PPWD (28)	<input type="checkbox"/> General: <input type="checkbox"/> Breach of contract/warranty (90) <input type="checkbox"/> Real estate (20) <input type="checkbox"/> Other tort/delict (10) <input type="checkbox"/> Maritime/Sea Commerce (19) <input type="checkbox"/> Other contract (27)	<input type="checkbox"/> Provisionally Certified Small Litigation (Cal. Rules of Court, rules 8.403-8.404) <input type="checkbox"/> Assault/Tort against (20) <input type="checkbox"/> Construction (24) <input type="checkbox"/> Malpractice (25) <input type="checkbox"/> Securities/Investment (26) <input type="checkbox"/> Unlawful evictions arising from the above listed provisionally certified case types (13)	<input type="checkbox"/> New PIP/PPWD (Other) Tort: <input type="checkbox"/> Business tort/delict/business practice (20) <input type="checkbox"/> Child spillover (24) <input type="checkbox"/> Defamation (18) <input type="checkbox"/> Fraud (14) <input type="checkbox"/> Intellectual property (17) <input type="checkbox"/> Negligence (20) <input type="checkbox"/> Other tort/delict (25)	<input type="checkbox"/> Real Property: <input type="checkbox"/> Breach of lease/contract/condemnation (14) <input type="checkbox"/> Wrongful eviction (20) <input type="checkbox"/> Other real property (24)	<input type="checkbox"/> Enforcement of judgment: <input type="checkbox"/> Subsequent judgment (20)	<input type="checkbox"/> Employment: <input type="checkbox"/> Wrongful termination (20) <input type="checkbox"/> Other employment (14)	<input type="checkbox"/> Voluntary Judgment: <input type="checkbox"/> Contractual (21) <input type="checkbox"/> Real estate (20) <input type="checkbox"/> Other (24)	<input type="checkbox"/> Miscellaneous Civil Petition: <input type="checkbox"/> Petition to set aside judgment (20) <input type="checkbox"/> Petition to set aside judgment (20) <input type="checkbox"/> Other petition (not specified above) (13)
<input checked="" type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (20) <input type="checkbox"/> Uninsured/Underinsured (40) <input type="checkbox"/> Other PIP/PPWD (Personal Injury/Property Damage/Fire/Theft/Death) Tort: <input type="checkbox"/> Adhesion (24) <input type="checkbox"/> Product Liability (25) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PIP/PPWD (28)	<input type="checkbox"/> General: <input type="checkbox"/> Breach of contract/warranty (90) <input type="checkbox"/> Real estate (20) <input type="checkbox"/> Other tort/delict (10) <input type="checkbox"/> Maritime/Sea Commerce (19) <input type="checkbox"/> Other contract (27)	<input type="checkbox"/> Provisionally Certified Small Litigation (Cal. Rules of Court, rules 8.403-8.404) <input type="checkbox"/> Assault/Tort against (20) <input type="checkbox"/> Construction (24) <input type="checkbox"/> Malpractice (25) <input type="checkbox"/> Securities/Investment (26) <input type="checkbox"/> Unlawful evictions arising from the above listed provisionally certified case types (13)									
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2. This case <input type="checkbox"/> is <input type="checkbox"/> is not complex under rule 8.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management: 6 a. <input type="checkbox"/> Large number of separately represented parties b. <input type="checkbox"/> Extensive medical practice involving 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"/> Consideration 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 post-judgment judicial supervision g. <input type="checkbox"/> Discovery sought, relevant, and not applicable h. <input type="checkbox"/> monetary i. <input type="checkbox"/> Discovery; declaratory of relative title j. <input type="checkbox"/> punitive k. <input type="checkbox"/> The case <input type="checkbox"/> is <input type="checkbox"/> is not a class action suit. l. <input type="checkbox"/> If there are any new or related cases, file and serve a notice of relatedness. (You may use form CM-015.)											
Date: 10 (TYPE OR PRINT NAME) SIGNATURE OF PARTY OR ATTORNEY (TYPE OR PRINT)											
NOTICE • Plaintiff must file this cover sheet with the first paper filed in this 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 8.404.) 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 8.400 of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding. • Unlike the set conditions case under rule 8.740 of the California Rules of Court, this cover sheet will be used for statistical purposes only.											

1. Write your name, address and phone number.
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"
5. Check "Residential" under the category "Unlawful 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, such as back due rent. Check box (b) if you are requesting other help such as eviction of the tenant. You can check both (a) and (b), but do not check box (c) and it will not apply in your case.
8. Write "1" where asked to specify the number of causes of action.
9. Check the "is not" box since this is not a class action lawsuit.
10. Fill in the date, type or print your name and sign.

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.**

<p style="font-size: small;">RETURN TO COUNTY CLERK (WITHOUT ATTORNEY FEE) (Please Print the number and address)</p> <p style="text-align: right; font-size: small;">UD-100</p> <p style="font-size: 24px; font-weight: bold; text-align: center;">1</p> <p>TELEPHONE NO: _____ FAX NO: _____</p> <p>MAILING ADDRESS (optional): _____</p> <p>ATTORNEY FOR PLAINTIFF:</p> <p style="text-align: center;">SUPERIOR COUNTY OF CALIFORNIA, COUNTY OF STANISLAUS</p> <p>STREET ADDRESS: 300 Starr Avenue MAILING ADDRESS: 300 Starr Avenue CITY AND ZIP CODE: Turlock, CA 95380</p> <p style="text-align: center; font-weight: bold;">2</p> <p>PLAINTIFF:</p> <p>DEFENDANT: 3</p> <p><input type="checkbox"/> DOES 1 TO _____</p> <p><input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Amendment Number): _____</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 style="padding-left: 20px;"> <input type="checkbox"/> amount does not exceed \$10,000 <input type="checkbox"/> does not exceed \$10,000 but does not exceed \$25,000 </p> <p style="text-align: center; font-weight: bold;">5</p> <p><input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (amount identified exceeds \$25,000)</p> <p><input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (check all that apply):</p> <p style="padding-left: 20px;"> <input type="checkbox"/> from unlawful detainer to general unlimited civil (possessions not in issue) <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlawful detainer to general limited civil (possessions not in issue) <input type="checkbox"/> from unlimited to limited </p> <p>1. PLAINTIFF (name each): 6</p> <p style="padding-left: 20px;">allege cause of action against DEFENDANT (name each):</p> <p>2. a. Plaintiff is: (1) <input type="checkbox"/> an individual over the age of 18 years (4) <input type="checkbox"/> a partnership (2) <input type="checkbox"/> a public agency (5) <input type="checkbox"/> a corporation (3) <input type="checkbox"/> other (specify): _____</p> <p style="text-align: center; font-weight: bold;">7</p> <p>b. <input type="checkbox"/> Plaintiff has completed with the following business name laws and is doing business under the following name of (specify):</p> <p>3. Defendant named above is in possession of the premises located at (street address, apt. no., apt. no. code, and county):</p> <p style="text-align: center; font-weight: bold;">8</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 listed in Data 4 to be known to plaintiff:</p> <p>6. a. On or about (date): 9</p> <p style="padding-left: 20px;"> <input type="checkbox"/> defendant (name each): </p> <p style="text-align: center; font-weight: bold;">10</p> <p>(1) agreed to rent the premises as a <input type="checkbox"/> month-to-month tenancy <input type="checkbox"/> other tenancy (specify): _____</p> <p>(2) agreed to pay rent of \$ _____ payable <input type="checkbox"/> monthly <input type="checkbox"/> other (specify frequency): _____</p> <p>(3) agreed to pay rent on the <input type="checkbox"/> first of the month <input type="checkbox"/> other day (specify): _____</p> <p>b. This <input type="checkbox"/> written <input type="checkbox"/> oral agreement was made with:</p> <p>(1) <input type="checkbox"/> plaintiff (2) <input type="checkbox"/> plaintiff's predecessor in interest (3) <input type="checkbox"/> plaintiff's agent (4) <input type="checkbox"/> other (specify): _____</p> <p style="font-size: x-small;">NOTE: Do not use this form for evictions in the state (Civ. Code, Proc. § 1171a). Page 1 of 2</p> <p style="font-size: x-small;">New Improved and Updated Use 10/15/15 (Rev. 01/15/15)</p> <p style="text-align: center; font-weight: bold;">COMPLAINT – UNLAWFUL DETAINER</p> <p style="text-align: right; font-size: x-small;">Clerk of Court, Superior Court, Stanislaus County, California</p> <p style="text-align: center;">Landlord</p>	
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1. Write your name, address and phone number.
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.
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 the plaintiffs. Write the names of all defendants.
7. For 2(a), check the box that best describes the plaintiff(s).
8. Fill in the complete address of the premises (property). Note: it is very important to include the zip code.
9. Check the first box if you are the owner of the property.
10. Fill in the date (where circled) the agreement was made with the defendant(s). Write the names of all defendants and check all boxes that apply and provide information as requested. Check box 6b, and check, the appropriate box describing who the plaintiff is.

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 (Name): DEFENDANT (Name):	CASE NUMBER
--	-------------

11

12

13

14

COMPLAINT - UNLAWFUL DETAINER

Unlawful Detainer

11. Write only your name after Plaintiff, and write the name of the primary or main Defendant.
12. Check box 6c if there are other tenant(s) (include "does"). If you know their status, mark the appropriate box. If you do not know the status of the other tenants (if there are any), mark "Other" and write "unknown." If both parties have changed the agreement, mark box d and write what the changes were. For boxes e & f, mark the appropriate box. If the agreement was written, attach it and label it "Exhibit 1." If you do not attach a copy, you must explain to the court why the document is not attached by marking box f and (1) or (2).
13. Write the names of each defendant. Then, check the box that describes the type of notice you sent to the defendant(s). Fill in the date that the notice ended. For boxes d, e, and f, check all that apply. Attach a copy of the notice and label it "Exhibit 2."
14. Check box 8a, then check (1) if the notice was handed to the defendant or (2) a copy was left with someone who lives or works with the defendant (and a copy was also mailed). Fill in date and information as requested. Check appropriate box if a copy was left at either the defendant's home OR workplace and the date the notice was mailed.
 - Check (3) if a copy of the notice was posted at the defendant's residence (example: taped to the door) AND was mailed to the defendant. Check (a) if you do not know where the defendant works, or (b) if no adult was at the residence.
 - Check (4) only if you sent a 3-day notice by certified or registered mail.
 - DO NOT check (5).
 - Check (b) and fill in a name ONLY if this applies.
 - Check (c) if it applies.
 - Check box (d) and attach a copy of the notice in item 7a and label it "Exhibit 3."

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 (Name): DEFENDANT (Name) 15	CASE NUMBER:
--	---------------------

16 Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.

10. Arise time the 3-day notice to pay rent or quit was served, the amount of rent due was \$ **17**

11. The fair market value of the premises is \$ **18** per day.

12. Defendant's continued possession is unlawful, 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 12.)

13. A written agreement between the parties provides for attorney fees. **20**

14. Defendant's tenancy is subject to the local rent control or eviction control ordinance of (city or county), the ordinance, and date of passage:

21

Plaintiff has met all applicable requirements of the ordinance.

15. Other allegations are stated in Attachment 15. **22**

16. Plaintiff accepts the jurisdictional limit, if any, of the court.

17. PLAINTIFF REQUESTS

a. possession of the premises. b. costs incurred in this proceeding: <input type="checkbox"/> past-due rent of \$ <input type="checkbox"/> reasonable attorney fees. <input type="checkbox"/> forfeiture of the agreement.	f. <input type="checkbox"/> damages at the rate stated in Item 11 from (date) for each day that defendant remains in possession through entry of judgment. g. <input type="checkbox"/> statutory damages up to \$600 for the conduct alleged in Item 12. h. <input type="checkbox"/> other (specify):
--	---

18. Number of pages attached (specify): **24**

UNLAWFUL DETAINER ASSISTANT (Rev. & Prof. Code, §§ 6400-6414)

19. (Complete in all cases.) An unlawful detainer assistant 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, state):

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):
--	--

25

Date: _____

VERIFICATION

(Check 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: _____ **26**

COMPLAINT - UNLAWFUL DETAINER

Unlawful Detainer

- Write only your name after Plaintiff, and write the name of the primary or main Defendant.
- Check box 9 if you want the defendants to move out because a lease ended.
- Check box 10 if the defendant was served with a 3-day notice. Write in the amount of rent that was due at that time.
- Check box 11 and write the price per day of the residence.
- Read 12 and check the box if you agree with this statement and attach specific facts supporting a claim up to \$600. Label the attachment "Attachment 12."
- DO NOT check 13, since by doing this packet yourself, you probably do not have an attorney.
- Read 14 and check the box if you agree with this statement.
- Check box 15, if it applies, and attach your allegations as "Attachment 15."
- For 17, check (c) and fill in past due rent amount. Since you are representing yourself (d) will not apply. Check (e) if you want the court to end the written agreement because of the defendant's actions. Check (f), if claiming fair market rental (from item 11). Fill in a date. If you checked box 12, check box (g). If seeking other orders from the court, check (h) and write details.
- Check box 18, if you include attachments with the complaint. Fill in number of pages attached.
- If someone helped you fill out this form but did not receive a fee for the help, check the first box. Check this box even if no one helped you. Check the second box and fill out the rest of this section ONLY if you received help for pay. Write the date and print your name on the left. Sign your name on the right.
- Write the date and print your name on the left. Sign your name on the right.

PLAINTIFF (Name):	CASE NUMBER:	SUM-130
DEFENDANT (Name):	1	

5. Unlawful detainer (per assistance) (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: 2
- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

FILED - Superior Court, Fresno County, California

SUMMONS-UNLAWFUL DETAINER-EVICTION

Page 1 of 3

Unlawful Detainer

SUMMONS-UNLAWFUL DETAINER-EVICTION

(SUM-130)

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 after Plaintiff. Write the name of the Defendant(s).
2. Fill out the rest of this section **ONLY** if you received help for pay.
 - (a) Write the name of the person you paid to help you.
 - (b) Write their telephone number.
 - (c) Write their address.
 - (d) Write the county where the assistant is registered (example: Fresno).
 - (e) Write their registration number.
 - (f) The date their registration expires (ends).

Court's Motion Re: Dismissal

(Local Form CV-001)

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.

This form is used by the court to track the court case and assure that all of the necessary paperwork is being completed in order to bring the case to a final judgment.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME, ADDRESS, PHONE)</p> <p style="text-align: center;">1</p> <p>Attorney for: Plaintiff</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</p> <p>Street Address: 300 Starr Avenue, Turlock, CA 95380 Mailing Address: 300 Starr Avenue, Turlock, CA 95380</p>	
<p>Plaintiff:</p> <p style="text-align: center;">2</p> <p>Defendant:</p>	
<p>NOTICE OF REVIEW FOR COURT'S MOTION RE: DISMISSAL (UNLAWFUL DETAINER CASES ONLY)</p>	<p>Case Number:</p>

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 J9 at the Courthouse located at 300 Starr Avenue, Turlock, California.

3

Date: _____ 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.

CV011 Mandatory Form Rev 01/2016

1. Write your name, address and phone number.
2. Fill in the names of the Plaintiff and the Defendant.
3. **DO NOT** fill out the rest of this form. It must be completed by the person whom you have serve the documents on the defendants.