

**Superior Court of California
County of Riverside
Unlawful Detainer Default Judgment (Possession Only)
Cover Sheet**

Your Information

Name (First, Middle, Last): _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number (home or cellular): _____

You're requesting the following:

Entry of Default **Clerk's Judgment** **Possession Only**

Your Tenant's Name(s) (Do not include minor children):

Case Number (as it appears on Complaint):

Complaint Filed On:

Rental Property Address:

Street Address:

City, State, Zip Code:

Where is the case filed? (Select location as it appears on Complaint):

- 311 E. Ramsey Street, Banning, CA 92220
- 265 N. Broadway, Blythe, CA 92225
- 505 S. Buena Vista Rm. 201, Corona, CA 92882
- 880 N. State Street, Hemet, CA 92543
- 13800 Heacock Street Bldg. #D201, Moreno Valley, CA 92553
- 30755-D Auld Road, Suite 1226, Murrieta, CA 92563
- 3255 E. Tahquitz Canyon Way, Palm Springs, CA 92262

ATTORNEY OR PARTY WITHOUT ATTORNEY: TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE	
Plaintiff/Petitioner: Defendant/Respondent:	
REQUEST FOR <input type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment (Application) <input type="checkbox"/> Court Judgment	CASE NUMBER: _____
Not for use in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.) (see CIV-105)	

1. TO THE CLERK: On the complaint or cross-complaint filed
 - a. on (date):
 - b. by (name):
 - c. Enter default of defendant (names):
 - d. I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):

 (Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)
 - e. Enter clerk's judgment
 - (1) for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)
 Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The *Prejudgment Claim of Right to Possession* was served in compliance with Code of Civil Procedure section 415.46.
 - (2) under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - (3) for default previously entered on (date):

2. **Judgment to be entered.**

	<u>Amount</u>	<u>Credits acknowledged</u>	<u>Balance</u>
a. Demand of complaint	\$	\$	\$
b. Statement of damages*			
(1) Special	\$	\$	\$
(2) General	\$	\$	\$
c. Interest	\$	\$	\$
d. Costs (see reverse)	\$	\$	\$
e. Attorney fees	\$	\$	\$
f. TOTALS	\$	\$	\$

g. **Daily damages** were demanded in complaint at the rate of: \$ _____ per day beginning (date): _____
 (* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)

3. (Check if filed in an unlawful detainer case.) **Legal document assistant or unlawful detainer assistant** information is on the reverse (complete item 4).

Date: _____

 (TYPE OR PRINT NAME) ▶ _____
 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY	(1) <input type="checkbox"/> Default entered as requested on (date): (2) <input type="checkbox"/> Default NOT entered as requested (state reason):
Clerk, by _____, Deputy	

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant did did **not** or compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal document assistant or 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): |

5. **Declaration under Code Civ. Proc., § 585.5** (for entry of default under Code Civ. Proc., § 585(a)). This action
- | |
|--|
| a. <input type="checkbox"/> is <input type="checkbox"/> is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act). |
| b. <input type="checkbox"/> is <input type="checkbox"/> is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act). |
| c. <input type="checkbox"/> is <input type="checkbox"/> is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b). |

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was
- | |
|---|
| a. <input type="checkbox"/> not mailed to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names): |
| b. <input type="checkbox"/> mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows: |
- (1) Mailed on (date): _____ (2) To (specify names and addresses shown on the envelopes): _____

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.
Date: _____

(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)
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7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):
- | | |
|--------------------------------|----------|
| a. Clerk's filing fees | \$ |
| b. Process server's fees | \$ |
| c. Other (specify): | \$ |
| d. | \$ |
| e. TOTAL | \$ _____ |
- f. Costs and disbursements are waived.
g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

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 DECLARANT)
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8. **Declaration of nonmilitary status** (required for a judgment). No defendant named in item 1c of the application is in the military service as that term is defined by either the Servicemembers Civil Relief Act, 50 U.S.C. App. § 3911(2), or California Military and Veterans Code sections 400 and 402(f).

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 DECLARANT)
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

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- PALM SPRINGS** 3255 E. Tahquitz Canyon Way, Palm Springs, CA 92262

RI-CI031

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar Number and Address)</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional)</i> : _____ E-MAIL ADDRESS <i>(Optional)</i> : _____ ATTORNEY FOR <i>(Name)</i> : _____	FOR COURT USE ONLY CASE NUMBER: _____
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	
APPLICATION FOR JUDGMENT BY DEFAULT BY CLERK FOR RESTITUTION OF PREMISES ONLY (PURSUANT TO C.C.P. 1169)	

I am the Plaintiff/Attorney in the above-entitled action.

The defendant(s) listed below, named in the complaint as tenants, subtenants, or occupants, were served with the summons and complaint and have failed to answer or otherwise defend within the time allowed by law. Proofs of service of the summons and complaint have been filed with the clerk:

Tenants: _____

Subtenants: _____

Occupants: _____

Prejudgment claims of right to possession were served pursuant to CCP §415.46. Proofs of service in accordance with section 415.46 have been filed with the clerk. No unnamed occupants have filed a claim described in CCP §§ 415.46, 1174.25 within the time allowed by law.

Prejudgment claim of right to possession were served pursuant to CCP §415.46. The claimants listed below filed claims of right to possession, but have failed to answer or otherwise defend within the time allowed by law:
 Claimants: _____

Defendants, claimants or occupants are still in possession of the premises.

Pursuant to CCP § 1169, I the undersigned request that the defaults of the above-described tenants, subtenants, claimants and other occupants be entered (unless previously entered) and that judgment be entered for restitution of the premises located at: _____, California, and that a writ of possession be issued for the premises.

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

Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY PARTY MAKING DECLARATION) ▶ (SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY									
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE										
PLAINTIFF: DEFENDANT:										
<table style="width:100%; border: none;"> <tr> <td colspan="3" style="text-align: center;">JUDGMENT—UNLAWFUL DETAINER</td> </tr> <tr> <td style="width:33%;"><input type="checkbox"/> By Clerk</td> <td style="width:33%;"><input type="checkbox"/> By Default</td> <td style="width:33%;"><input type="checkbox"/> After Court Trial</td> </tr> <tr> <td><input type="checkbox"/> By Court</td> <td><input type="checkbox"/> Possession Only</td> <td><input type="checkbox"/> Defendant Did Not Appear at Trial</td> </tr> </table>		JUDGMENT—UNLAWFUL DETAINER			<input type="checkbox"/> By Clerk	<input type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial	<input type="checkbox"/> By Court	<input type="checkbox"/> Possession Only	<input type="checkbox"/> Defendant Did Not Appear at Trial
JUDGMENT—UNLAWFUL DETAINER										
<input type="checkbox"/> By Clerk	<input type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial								
<input type="checkbox"/> By Court	<input type="checkbox"/> Possession Only	<input type="checkbox"/> Defendant Did Not Appear at Trial								
CASE NUMBER: _____										

JUDGMENT

1. **BY DEFAULT**
- a. Defendant was properly served with a copy of the summons and complaint.
 - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
 - c. Defendant's default was entered by the clerk upon plaintiff's application.
 - d. **Clerk's Judgment** (Code Civ. Proc., § 1169). For possession only of the premises described on page 2 (item 4).
 - e. **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
 - (1) plaintiff's testimony and other evidence.
 - (2) plaintiff's or others' written declaration and evidence (Code Civ. Proc., § 585(d)).
2. **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
- a. The case was tried on (*date and time*): _____
before (*name of judicial officer*): _____
 - b.

<input type="checkbox"/>	<input type="checkbox"/> Plaintiff's attorney (<i>name each</i>):
	(1)
	(2)
<input type="checkbox"/> Continued on <i>Attachment 2b</i> (form MC-025).	
<input type="checkbox"/> Defendant (<i>name each</i>):	<input type="checkbox"/> Defendant's attorney (<i>name each</i>):
	(1)
	(2)
<input type="checkbox"/> Continued on <i>Attachment 2b</i> (form MC-025).	
 - c. Defendant did not appear at trial. Defendant was properly served with notice of trial.
 - d. A statement of decision (Code Civ. Proc., § 632) was not was requested.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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JUDGMENT IS ENTERED AS FOLLOWS BY: **THE COURT** **THE CLERK**

3. Parties. Judgment is

a. for plaintiff (*name each*):

and against defendant (*name each*):

Continued on *Attachment 3a* (form MC-025).

b. for defendant (*name each*):

4. Plaintiff Defendant is entitled to possession of the premises located at (*street address, apartment, city, and county*):

5. Judgment applies to all occupants of the premises including tenants, subtenants if any, and named claimants if any (Code Civ. Proc., §§ 715.010, 1169, and 1174.3).

6. Amount and terms of judgment

a. Defendant named in item 3a above must pay plaintiff on the complaint:

(1)	<input type="checkbox"/> Past-due rent	\$	
(2)	<input type="checkbox"/> Holdover damages	\$	
(3)	<input type="checkbox"/> Attorney fees	\$	
(4)	<input type="checkbox"/> Costs	\$	
(5)	<input type="checkbox"/> Other (<i>specify</i>):	\$	
(6)	TOTAL JUDGMENT	\$	

b. Plaintiff is to receive nothing from defendant named in item 3b.

Defendant named in item 3b is to recover costs: \$
 and attorney fees: \$

c. The rental agreement is canceled. The lease is forfeited.

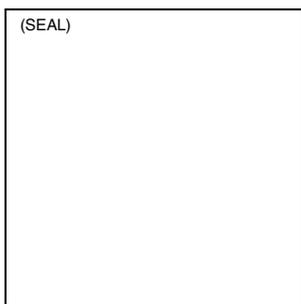
7. **Conditional judgment.** Plaintiff has breached the agreement to provide habitable premises to defendant as stated in *Judgment—Unlawful Detainer Attachment* (form UD-110S), which is attached.

8. **Other** (*specify*):

Continued on *Attachment 8* (form MC-025).

Date: _____
JUDICIAL OFFICER

Date: Clerk, by _____, Deputy



CLERK'S CERTIFICATE (*Optional*)

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by _____, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

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RI-CI002

<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address)</small>	<small>FOR COURT USE ONLY</small>
<p style="text-align: center;">TELEPHONE NO: FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p>	
<p>PLAINTIFF/PETITIONER:</p> <p>DEFENDANT/RESPONDENT:</p>	<p>CASE NUMBER:</p>

DECLARATION IN SUPPORT OF ISSUANCE OF WRIT OF POSSESSION

I am the Plaintiff/Attorney in the above-entitled action and hereby request issuance of a writ of possession.

The daily rental value on the date the complaint for Unlawful Detainer was filed is \$ _____

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

Date: _____

(TYPE OR PRINT NAME OF ATTORNEY PARTY MAKING DECLARATION)



(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY: TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): <input type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE	
Plaintiff: Defendant:	CASE NUMBER:
WRIT OF <input type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property	<input type="checkbox"/> Limited Civil Case (including Small Claims) <input type="checkbox"/> Unlimited Civil Case (including Family and Probate)

1. To the Sheriff or Marshal of the County of:

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

2. To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.

3. (Name):

is the original judgment creditor assignee of record whose address is shown on this form above the court's name.

4. Judgment debtor (name, type of legal entity if not a natural person, and last known address):

Additional judgment debtors on next page

9. See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.

10. This writ is issued on a sister-state judgment.

For Items 11–17, see form MC-012 and form MC-013-INFO

- 11. Total judgment (as entered or renewed) \$ _____
- 12. Costs after judgment (CCP 685.090) \$ _____
- 13. Subtotal (add 11 and 12) \$ _____
- 14. Credits to principal (after credit to interest) \$ _____
- 15. Principal remaining due (subtract 14 from 13) \$ _____
- 16. Accrued interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees) \$ _____
- 17. Fee for issuance of writ \$ _____
- 18. Total (add 15, 16, and 17) \$ _____

5. Judgment entered on (date):

6. Judgment renewed on (dates):

7. Notice of sale under this writ

- a. has not been requested.
- b. has been requested (see next page).

8. Joint debtor information on next page.

19. Levying officer:

- a. Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$ _____
- b. Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)) \$ _____

20. The amounts called for in items 11–19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

[SEAL]

Issued on (date): _____ Clerk, by _____, Deputy

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

Plaintiff: Defendant:	CASE NUMBER:
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21. Additional judgment debtor (name, type of legal entity if not a natural person, 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, type of legal entity if not a natural person, and last known address of joint debtor: b. name, type of legal entity if not a natural person, and last known address of joint debtor:

c. Additional costs against certain joint debtors are itemized: Below On Attachment 23c

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):
(Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)

(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.

(3) The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a Claim of Right to Possession at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a Prejudgment Claim of Right to Possession was served.) *(See CCP 415.46 and 1174.3(a)(2).)*

(4) If the unlawful detainer resulted from a foreclosure (item 24a(3)), or if the Prejudgment Claim of Right to Possession was not served in compliance with CCP 415.46 (item 24a(2)), answer the following:

(a) The daily rental value on the date the complaint was filed was \$

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b. Possession of personal property.
 If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.

c. Sale of personal property.

d. Sale of real property.

e. The property is described: Below On Attachment 24e

Plaintiff: Defendant:	CASE NUMBER:
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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 demand that you turn over 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.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

Instructions for Filing a Default Judgment and Writ of Possession

1. Complete the Default Judgment Packet
2. Make a copy of the entire packet. Make extra copies of the Request to Enter Default (CIV-100) for every defendant listed on your case including “Unknown Occupants”
3. Mail a copy of the Request to Enter Default (CIV-100) to each defendant.
4. Complete page 2 of the original Request to Enter Default, paragraph 6.

<p>b. <input checked="" type="checkbox"/> mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:</p> <p>(1) Mailed on (date): Date mailed</p> <p>(2) To (specify names and addresses shown on the envelopes): Name and Address of defendant</p> <p>declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.</p> <p>Date: _____</p> <p>_____ (TYPE OR PRINT NAME)</p> <p style="text-align: right;">▶ _____ (SIGNATURE OF DECLARANT)</p>
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5. Take the original default packet (plus 1 copy) to the clerk's office to file. The filing fee is \$40.00.
6. Once the court has processed your paperwork, you will take your Writ of Execution (EJ-130) plus 5 copies to the Sheriff's Department to schedule a lockout.