

COURT OF CALIFORNIA, COUNTY OF

NAME OF MUNICIPAL OR JUSTICE COURT DISTRICT OR OF BRANCH COURT, IF ANY		FOR COURT USE ONLY
TITLE OF CASE (<i>ABBREVIATED</i>)		
ATTORNEY(S) NAME AND ADDRESS		
ATTORNEY(S) FOR		CASE NUMBER
TELEPHONE		

NOTICE OF APPLICATION FOR WRIT OF POSSESSION AND HEARING

1. TO DEFENDANT (Name. See footnote * before completing):

2. You are notified that a hearing on plaintiff's application for a writ of possession for levy on personal property, described in the application, claimed to be wrongfully detained by you will be held in this court, as follows
 - a. Date: _____ Time: _____ Dept. Div. Rm. No.:

 - b. Address of court:

3. You are informed that the writ will be issued if the court finds that the plaintiff's claim is probably valid and the other requirements for issuing the writ are established. This hearing is not for the purpose of determining whether the claim is actually valid. The determination of the actual validity of the claim will be made in subsequent proceedings in the action and will not be affected by the decision at the hearing on the application for the writ.

4. If you desire to oppose the issuance of the writ, you shall file with this court and serve on plaintiff's attorney, or on plaintiff if plaintiff has no attorney, affidavits providing evidence sufficient to defeat plaintiff's right to issuance of the writ; and you may, in addition, appear at the hearing and make application to present further evidence on your behalf.

5. If you desire to stay delivery of the property, you shall file with the court a written undertaking as required by CCP 515.020.

6. If you fail to oppose the issuance of the writ, the court at the hearing may do the following
 - a. Order that a writ of possession be issued.
 - b. Order you or anyone in possession to transfer possession of the claimed property to plaintiff (CCP 512.070).
 - c. Grant injunctive or other relief.

IF YOU BELIEVE THE PLAINTIFF MAY NOT BE ENTITLED TO POSSESSION OF THE PROPERTY CLAIMED, YOU MAY WISH TO SEEK THE ADVICE OF AN ATTORNEY. SUCH ATTORNEY SHOULD BE CONSULTED PROMPTLY SO THAT HE MAY ASSIST YOU BEFORE THE TIME SET FOR THE HEARING.

Dated:

..... (Type or print name) _____ (Signature of (Attorney for) Plaintiff)

* The word "plaintiff" includes cross-complainant, "defendant" includes cross-defendant, singular includes plural, and masculine includes feminine and neuter. Declarations under penalty of perjury signed in California may be used in place of affidavits (CCP 2015.5). Affidavits required when signed outside California. The following must be served on defendant prior to the court hearing: (a) a copy of the summons and complaint, (b) a copy of this notice, and (c) a copy of the application for writ of possession together with any affidavits (declarations) in support of the application. File the original of this notice and a proof of service with the court.