

NAME AND ADDRESS OF ATTORNEY:	TELEPHONE NO.:	FOR COURT USE ONLY
Insert name of court, judicial district or branch court, if any, and post office and street address:		
PLAINTIFF:		
DEFENDANT:		
ORDER FOR WRIT OF POSSESSION <input type="checkbox"/> AFTER HEARING <input type="checkbox"/> EX PARTE		CASE NUMBER:

AFTER HEARING

1. The application of plaintiff for a writ of possession came on for hearing as follows *(Check boxes in item 1c and d to indicate personal presence)*.
- a. Judge (Name):
- b. Hearing date: Time: Dept. Div. Rm. No.:
- c. Plaintiff (Name): Attorney (Name):
- d. Defendant (Name): Attorney (Name):

EX PARTE

2. The application of plaintiff for an ex parte writ of possession has been considered by the court.
- a. Plaintiff (Name): Attorney (Name):

FINDINGS

3. The court finds
- a. Defendant has been properly served as required by CCP 512.030. *(Strike if ex parte.)*
- b. Plaintiff has has not filed an undertaking as required by CCP 515.010.
- c. Plaintiff has established the probable validity of his claim to possession of the following property (Describe):

- d. There is probable cause to believe this property or some part thereof is located at one or more of the following private places:

(Continued on reverse side)

The word "plaintiff" includes cross-complainant, "defendant" includes cross-defendant, singular includes the plural, and masculine includes feminine and neuter. The declaration under penalty of perjury must be signed in California, or in a state that authorizes use of a declaration in place of an affidavit; otherwise an affidavit is required. A copy of this order shall be served with the writ of possession

ADDITIONAL FINDINGS FOR EX PARTE ISSUANCE

4. The court also finds

- a. Defendant gained possession of the property described in item 3c, which was not entrusted to him, by feloniously taking such property from plaintiff by means other than by false or fraudulent representation, pretense or embezzlement.
- b. The property is a credit card.
- c. Defendant acquired possession of this property in the ordinary course of his trade or business for commercial purposes, and (1) the property is not necessary for the support of defendant or his family; (2) there is an immediate danger that the property will become unavailable to levy by reason of being transferred, concealed or removed from the state, or will become substantially impaired in value by acts of destruction, or by failure to take care of the property in a reasonable manner; and (3) the ex parte issuance of a writ of possession is necessary to protect the property.
- d. Total number of boxes checked in item 4:

5. IT IS ORDERED

- a. The clerk of this court shall issue a writ of possession as provided in CCP 512.020, directing the levying officer within whose jurisdiction the property described in item 3c, or some part thereof, is located, to seize such property and retain custody of it as provided by CCP 514.010-514.050.
- b. The writ shall issue forthwith.
- c. The writ shall issue upon plaintiff's filing of a written undertaking, as required by CCP 515.010, in the amount of: \$
- d. The written undertaking required by defendant for redelivery or to stay delivery shall be in the amount of: \$
- e. The clerk of this court shall attach a copy of this order and a copy of plaintiff's undertaking to the writ.
- f. The levying officer may enter the following private place(s) to take possession of the property or some part thereof:

g. Defendant (Name): shall transfer possession of the property described in item 3c to the plaintiff. **NOTICE TO DEFENDANT** Failure to comply with any order of the court to turn over possession of such property to plaintiff may subject you to being held in contempt of court. (Strike item 5g if not applicable)

Dated

..... (Type or print name) _____ Judge