



# Samples

## Civil Case Cover Sheet

CM-010

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  
**OR FAMILY OWNER, IN PRO PER**  
 123 Main St.  
 Sacramento, CA 95814

TELEPHONE NO: 916-555-1212 FAX NO:  
 ATTORNEY FOR (Name): **IN PRO PER**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF  
 STREET ADDRESS: 720 9TH ST.  
 MAILING ADDRESS:  
 CITY AND ZIP CODE: SACRAMENTO, CA 95814

BRANCH NAME:

CASE NAME:  
**OWNER V SUBCONTRACTOR**

**CIVIL CASE COVER SHEET**

**Unlimited** (Amount demanded exceeds \$25,000)  **Limited** (Amount demanded is \$25,000 or less)

**Counter**  **Joinder**

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

Check below for the case type that best describes this case:

<input type="checkbox"/> Disabled motorist (46) <input type="checkbox"/> 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) <input type="checkbox"/> 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) <input type="checkbox"/> Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (37)	<input type="checkbox"/> 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) <input type="checkbox"/> Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <input type="checkbox"/> 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)	<input type="checkbox"/> 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) <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) <input type="checkbox"/> Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <input type="checkbox"/> Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input checked="" type="checkbox"/> Other petition (not specified above) (43)
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1. Check "is not" complex.  is not complex under rule 3.400 of the California Rules of Court. If the case is complex requiring exceptional judicial management.

2. Check "nonmonetary; declaratory or injunctive relief."  Large number of separately represented parties  Large number of witnesses  
 Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
 Substantial amount of documentary evidence  Substantial postjudgment judicial supervision

3. Enter "1" for number of causes of action.  monetary  nonmonetary, declaratory or injunctive relief  punitive

4. Check "is not" a class action suit.  is not a class action suit.

Are any known related cases filed and serve a notice of related case. (You may use form CM-015.)

March 10, 2014  is not a class action suit.

AY OWNER  Print name and date  Signature

**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.

Form Adopted for Mandatory Use  
 Judicial Council of California  
 CM-010 (Rev. July 1, 2007)

**CIVIL CASE COVER SHEET**

Page 1 of 2  
 Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740,  
 Cal. Standards of Judicial Administration, §10.3.10  
 www.courtinfo.ca.gov

Civil Case Cover Sheet (CM-010) (1 Page)



## Notice of Hearing

1	ORFAMAY OWNER	
2	123 Main St.	
3	Sacramento, CA 95814	
4	916-555-1212	
5	ORFAMAY OWNER, IN PRO PER	
SUPERIOR COURT OF THE STATE OF CALIFORNIA		
FOR THE COUNTY OF SACRAMENTO		
10	In the Matter of	) Case No.: 34-14-00005555
11	ORFAMAY OWNER,	) NOTICE OF HEARING ON PETITION
	Petitioner,	) FOR RELEASE OF PROPERTY FROM
12	vs.	) LIEN
13	SAMUEL SUBCONTRACTOR,	) Date: April 15, 2014
	Respondent.	) Time: 9 a.m.
14		) Dept: 54
		) Judge: Christopher E. Krueger
15		) Date Action Filed: March 10, 2014
		)
Respondent Samuel Subcontractor:		
Please take notice that on April 15, 2014, at 9 a. m., in Department 54 of the above-		
d Court, located at 813 6th Street, Third Floor, Sacramento, California, Petitioner will		
r and request that the honorable court order the release of the Mechanics' Lien on		
property located at 123 Main Street, Sacramento, California.		
21	This request will be based on the Petition for Release of Property from Lien attached to this	
22	Notice of Hearing, and on the evidence and arguments to be introduced in the hearing.	
- 1 -		
NOTICE OF HEARING ON PETITION FOR RELEASE OF PROPERTY FROM LIEN		

This section tells all parties when and where to be for the hearing. You should get this information from the clerk when you reserve your hearing date.

Insert the date, time, and department number as above, and include the street address of the branch of the court where the hearing will be.

Notice of Hearing (Page 1)



1 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of this  
 2 matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative  
 3 rulings for the department may be downloaded off the court's Web site. If the party does not  
 4 have online access, they may call the dedicated phone number for the department as  
 5 referenced in the local telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on  
 6 the court day before the hearing and receive the tentative ruling. If you do not call the court  
 7 and the opposing party by 4:00 p.m. the court day before the hearing, no hearing will be  
 8 held.

9 Dated: Date

By: Signature

Signature  
ORFAMAY OWNER  
In Pro Per

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Petition for Release of Lien

1 ORFAMAY OWNER  
123 Main St.  
2 Sacramento, CA 95814  
3 916-555-1212  
4 ORFAMAY OWNER, IN PRO PER

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SACRAMENTO

10 In the Matter of ) Case No.: 34-14-00005555  
11 ORFAMAY OWNER, ) PETITION FOR RELEASE OF  
12 Petitioner, ) PROPERTY FROM LIEN  
13 vs. ) Date: April 15, 2014  
SAMUEL SUBCONTRACTOR, ) Time: 9 a.m.  
Respondent. ) Dept: 54  
Judge: Christopher E. Krueger  
Date Action Filed: March 10, 2014

Petitioner alleges:

1. Petitioner is the owner of real property ("the property") located at 123 Main Street, Sacramento, California and described as follows:

18 Lot 14 of Blackacre Addition to the City of Sacramento, as delineated on the map of said addition, recorded January 30, 1965, in Book 625, Page 013065.

2. At all times relevant herein, Respondent Samuel Subcontractor was, and now is, an individual residing in Sacramento County engaged in the business of su... a roofer and claims to have contributed to the work of improvement on the p...

- 1 -  
PETITION FOR RELEASE OF PROPERTY FROM LIEN

Petition for Release of Lien (Page 1 of 7)

This section tells all parties when and where to be for the hearing. You should get this information from the clerk when you reserve your hearing date.

State whether you are the owner of the property or whether you have some other interest (life estate, tenancy, etc.).

This "legal description" can be found on the deed to your property.

Identify the lien claimant's form of business and county of residence, if an individual.



1                    3. On **October 1, 2013**, in the Official Records of **Sacramento** County, California,

                         Respondent recorded a claim of mechanics lien against the property. The lien was recorded

                         in the official records of the County Recorder in book number **1203**, page number **100113**.

                         The claim of lien was in the amount of **\$5645.92** for labor, services, equipment, or materials

                         furnished by Respondent for a work of improvement. A certified copy of the claim of lien with

                         proof of mailing is attached here marked Exhibit A and incorporated by reference.

                         4. Respondent failed to bring an action to enforce the lien within 90 days after the

                         recordation of the claim of lien, as required by Civil Code § 8460. No action has been filed

                         to foreclose the lien; no extension of credit has been recorded; and the time period during

                         which a suit can be brought to foreclose the lien has expired.

                         5. Respondent is  unable or  unwilling execute a release of the lien or  cannot

                         be found with reasonable diligence.

12                    6. On **February 20, 2014**, Petitioner sent Respondent a written demand to remove

13                    the lien by  registered or certified mail;  express mail; or  overnight delivery. The

14                    demand was sent to the Respondent's address as shown on  the preliminary 20-day

                         notice;  the records of the Contractor State License Board;  the contract on which the

                         lien is based; or  the claim of lien itself. A true and correct copy of the written demand is

                         attached here marked Exhibit B and incorporated by reference.

                         7. Respondent  did not respond  responded as follows:

20                    **On February 23, 2014, Respondent telephoned Owner and stated that since he had**

**not been paid, he would not remove the lien.**

- 2 -

PETITION FOR RELEASE OF PROPERTY FROM LIEN

Petition for Release of Lien (Page 2 of 7)

The info in this paragraph is on the Claim of Lien. To attach the claim of lien, photocopy it and write "Exhibit A" on the bottom of the page.

Check the appropriate boxes, or erase any part of the paragraph that does not apply.

Check the appropriate boxes, or erase any part of the paragraph that does not apply. Attach a copy of the written demand and proof of mailing as "Exhibit B."

Describe the lien claimant's response to the Written Demand for Release of Lien.



8. Petitioner has not filed for relief under any law governing bankruptcy, and there exists no other restraint to prevent Respondent from filing to foreclose the lien.

WHEREFORE, Petitioner prays for judgment against Respondent as follows:

1. That the real property described above be released from Respondent's claim of lien;
2. Costs; and
3. Such other relief as may be just.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Signature  
Orfamay Owner  
In Pro Per

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VERIFICATION

I, Orfamay Owner, am the petitioner in this proceeding. I have read the foregoing petition and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and, as to those matters, I believe it to be true.

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

Date

Signature

Signature

Fill in your name, and date and sign the Verification section. This indicates that you are swearing under penalty of perjury that the facts stated in the petition are true.

- 4 -

PETITION FOR RELEASE OF PROPERTY FROM LIEN

Petition for Release of Lien (Page 4 of 7)



County recorder stamp

Recording Requested (If not) and Where Recorded (Mail To):

[CONTRACTOR/SUBCONTRACTOR NAME]

[STREET ADDRESS]

[CITY, STATE, ZIP]

(Space above this line for recorder's use only)

**MECHANICS' LIEN**  
(Claim of Lien)

(To be recorded in the county recorder's office in the county in which the property is located.)

NOTICE IS HEREBY GIVEN that Claimant: [CONTRACTOR/SUBCONTRACTOR] (legal name), claims a lien for labor, services, equipment, or materials under Section 3082 et. Seq. of the Civil Code of the State of California, upon the premises hereinafter described, and upon every estate or interest in such structures, improvements and premises held by any party holding any estate therein. Said labor, service, equipment or materials, were furnished for the construction of these certain buildings, improvements, or structures, now upon that certain parcel of land situated in the County of [COUNTY]

STREET ADDRESS: \_\_\_\_\_  
and/or  
LEGAL DESCRIPTION: \_\_\_\_\_

Make an Exhibit page for the certified copy of the mechanics' lien by photocopying the lien and writing "Exhibit A" on the bottom of the page.

\_\_\_\_\_ (PROPERTY)  
\_\_\_\_\_ (TITLE REPORT)

Said lien is claimed for the following labor, services, equipment or materials: [DESCRIBE THE SERVICES, ETC], Claimant is owed \$ [AMOUNT DUE] for labor, services, equipment or materials furnished to the work of improvement, after deducting all just credits and offsets, plus interest at the legal rate from the date of this lien.

The name of the person or company by whom Claimant was employed, or to whom Claimant furnished the labor, services, equipment and/or materials is: [PERSON OR COMPANY YOU CONTRACTED WITH]

The name(s) and address(es) of the owner(s) or reputed owner(s) of the real property is/are:  
[OWNER NAME AND ADDRESS]

Name of Claimant: [SUB/CONTRACTOR]

Date: [DATE] By: \_\_\_\_\_  
[SIGNER'S NAME AND POSITION]  
Print Name & Authorized Capacity

Verification

I, the undersigned, declare: I am the [SIGNER'S POSITION] (authorized capacity/office), for the Claimant named in the foregoing claim of mechanics' lien; I am authorized to make this verification for the Claimant; I have read the foregoing claim of mechanics' lien and know the contents thereof, and the same is true of my knowledge; I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ California.

Ex. A

C&D Forms - revised Oct. 2018 - Same effective as of Jan. 1, 2011

Petition for Release of Lien (Page 5 of 7)



**DEMAND FOR RELEASE OF CLAIM OF LIEN**  
(California Civil Code Section 8482)

To Lien Claimant:  
(Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City, State, Zip Code) \_\_\_\_\_

From Owner:  
(Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City, State, Zip Code) \_\_\_\_\_

This notice serves as a demand that you execute and record a release of the claim of Mechanics' Lien recorded on \_\_\_\_\_, 20\_\_\_\_, as Instrument No. \_\_\_\_\_ and/or in Book/Reel \_\_\_\_\_, Page/Image \_\_\_\_\_, in the official records of \_\_\_\_\_ County, California. A Release of Lien form is included with this notice for your convenience.

This demand is based on the grounds that the time for foreclosure on the mechanics lien has expired and that you are therefore obligated to release the lien and allow the title to be resold.

If the lien is not removed \_\_\_\_\_ to expunge the lien. If this becomes necessary, \_\_\_\_\_ fees under California Civil Code § 884.

**Make an Exhibit page for the Written Demand and proof of mailing by photocopying them and writing "Exhibit B" on the bottom of the first page.**

**Project information**

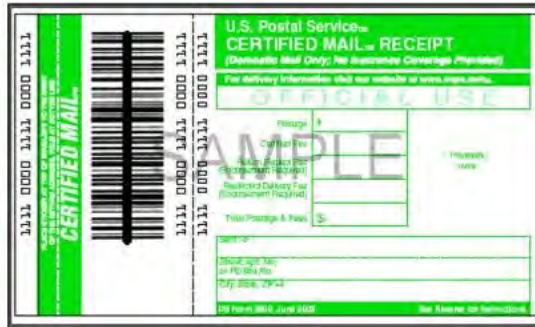
Location of work of improvement (description of the site sufficient for identification, including the street address of the site, if any):  
\_\_\_\_\_  
\_\_\_\_\_

Relationship of owner to parties (e.g. Owner hired Direct Contractor, which hired Claimant)  
\_\_\_\_\_  
\_\_\_\_\_

Direct Contractor  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Lender Holding Construction Funds, If Any  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

**Ex. B**



Number  
exhibit pages  
if more than 1

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Petition for Release of Lien (Page 7 of 7)

## Proof of Service

1	ORFAMAY OWNER	
2	123 Main St.	
3	Sacramento, CA 95814	
4	916-555-1212	
	ORFAMAY OWNER, IN PRO PER	
		SUPERIOR COURT OF THE STATE OF CALIFORNIA
		FOR THE COUNTY OF SACRAMENTO
10	In the Matter of	) Case No.: 34-14-00005555
11	ORFAMAY OWNER,	) PROOF OF SERVICE OF PETITION FOR
	Petitioner,	) RELEASE OF MECHANICS LIEN BY
12	vs.	) MAIL
13	SAMUEL SUBCONTRACTOR,	) Date: April 15, 2014
	Respondent.	) Time: 9 a.m.
14		) Dept: 54
		) Judge: Christopher E. Krueger
		) Date Action Filed: March 10, 2014
15	Marty Mailer declares:	
16	I am over age 18, not a party to this action, and reside in Sacramento County at 456	
17	Oak Street. On March 12, 2014, I deposited in the United States mail at Sacramento,	
18	California a copy of the following documents:	
19	Petition for Release of Mechanics' Lien	
20	Notice of Hearing	
21	[Proposed] Order Releasing Lien	
22	Civil Case Cover Sheet	

This section tells all parties when and where to be for the hearing. You should get this information from the clerk when you reserve your hearing date.

Proof of Service (Page 1 of 3)



1 in a sealed envelope, with postage fully prepaid, return receipt requested, addressed to:  
 2 Samuel Subcontractor  
 3 789 Industrial Blvd.  
 4 Sacramento, CA 95814

5 A copy of the certificate of mailing is attached to this declaration as Exhibit A.

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

8 Dated: \_\_\_\_\_

9 By: \_\_\_\_\_  
 10 Marty Mailer

11 This is claimant's address as  
 12 shown on any of the following:  
 13 (1) the preliminary 20-day  
 14 notice, (2) the records of the  
 15 Contractor State License  
 16 Board, (3) the contract on  
 17 which the lien is based, or (4)  
 18 the claim of lien itself.

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 Proof of Service (Page 2 of 3)



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Make an Exhibit page for the copy of the return receipt or certified mail receipt by photocopying the receipt and writing "Exhibit A" on the bottom of the page.

Exhibit A

- 3 -

PROOF OF SERVICE OF PETITION FOR RELEASE OF MECHANICS LIEN BY MAIL

Proof of Service (Page 3 of 3)



### Proposed Order

	Recording requested by:	The area above the horizontal line is for the Recorder's Office to stamp when you record the Order.  Insert your name and mailing address on the left.
	And when recorded, mail to:	
		RECORDER'S USE ONLY
1	ORFAMAY OWNER	
2	123 Main St.	
3	Sacramento, CA 95814	
4	55-1212	
5	MAY OWNER, IN PRO PER	
6	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
7	FOR THE COUNTY OF SACRAMENTO	
8		
9	In the Matter of ) Case No.: 34-14-00005555	
10	ORFAMAY OWNER, ) [PROPOSED] ORDER RELEASING LIEN	
11	Petitioner, ) Date: April 15, 2014	
12	vs. ) Time: 9 a.m.	
13	SAMUEL SUBCONTRACTOR, ) Dept: 54	
14	Respondent. ) Judge: Christopher E. Krueger	
15	) Date Action Filed: March 10, 2014	
16	The petitioner's petition for an order granting the release of the real property described below ("the property") from the lien of the respondent was heard on April 15, 2014.	
17	Petitioner appeared in pro per, and respondent appeared <input type="checkbox"/> in pro per <input type="checkbox"/> by counsel	
18	_____ (name). Oral and documentary evidence having	
19	_____ received and considered by the court, and good cause appearing,	
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This section tells all parties when and where to be for the hearing. You should get this information from the clerk when you reserve your hearing date.

The area above the horizontal line is for the Recorder's Office to stamp when you record the Order. Insert your name and mailing address on the left.

Leave blank (you don't know who the other side's attorney may be). The judge will fill it in.



1 THE COURT FINDS:  
2 1. All the allegations of the petition are true;  
3 2. Service of the petition and the order fixing the date for the hearing was made in  
4 compliance with the law.

5 IT IS ORDERED:  
6 1. The petition is granted.  
7 2. The real property described below is released from the lien of respondent, upon the  
8 presentation of a certified copy of this order.  
9 3. The lien of respondent was recorded on [October 1, 2013](#).  
10 4. The lien was recorded in the recorder's office of the County of [Sacramento](#), City of  
11 [Sacramento](#).  
12 5. The lien was recorded in the official records of the County Recorder in book number  
13 [1203](#), page number [100113](#).  
14 6. The real property is located at [123 Main Street, Sacramento, California](#) and  
15 described as follows:  
16 [4 of Blackacre Addition to the City of Sacramento, as delineated on the map of said](#)  
17 [addition, recorded January 30, 1965, in Book 625, Page 013065 .](#)

18 Dated: \_\_\_\_\_  
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23 \_\_\_\_\_ Judge: \_\_\_\_\_

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- 2 -  
ORDER RELEASING LIEN

The info in paragraphs 3, 4, and 5 is in the Claim of Lien.

This "legal description" can be found on the deed to your property.

Leave date and signature area blank for the judge to fill in.

Proposed Order (Page 2 of 2)