Wage Garnishment

After you win your lawsuit and receive a judgment against the other party, your next step is to attempt to collect what you are owed. The court does not collect your judgment for you; you must do it yourself. If the judgment debtor has a job, you may be able to take a portion of their wages until your judgment is paid in full.

Templates and Forms

- Writ of Execution (EJ-100) (http://www.courts.ca.gov/documents/ej130.pdf)
- Application for Earnings Withholding Order (Wage Garnishment) (WG-001) (http://www.courts.ca.gov/documents/wg001.pdf)
- Confidential Statement of Judgment Debtor's Social Security Number (WG-035) (http://www.courts.ca.gov/documents/wg035.pdf)

Under both State (CCP § 706.050 (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=706.050.&nodeTreePath=5.14.2.5.3&lawCode=CCP)) and Federal (15 USC 1673 (https://www.govinfo.gov/content/pkg/USCODE-2021-title15/pdf/USCODE-2021-title15-chap41-subchapII-sec1673.pdf)) law, judgment creditors may garnish up to 20% of the debtor's disposable earnings (or more, if the debtor earns more than 40 times minimum wage). The 20% is the total for all garnishments, so if another garnishment is already in place, there may not be any funds available for you to collect until other creditors are paid in full. Additionally, you can only garnish wages if a third party employs the debtor; you cannot garnish wages if the debtor is self-employed.

For a complete list of our guides and videos on enforcement of judgments, visit our Enforcing Judgments topic page. (https://saclaw.org/legal_topic/enforcing-a-courts-judgment/)

Step-by-Step Instructions

(1) Obtain a Writ of Execution

To garnish the judgment debtor's wages, you must first obtain a writ of execution from the court. A writ of execution is a court order instructing the Sheriff to enforce your judgment in the county where the assets are located. This may not be the county where the party works, or the county where the judgment was issued.

(1.a) Complete the Writ of Execution (EJ-130) form

The Judicial Council form used to obtain a writ of execution is:

- *Writ of Execution* (EJ-130) (http://www.courts.ca.gov/documents/ej130.pdf)

Instructions for completing this form are available at the end of this Guide.

1.b **Adding Costs and Interest (optional)**

If you want to add additional costs incurred after entry of judgment (e.g., the cost of issuing the writ of execution, levying officers' fees, fees for the debtor's examination, etc.) or accrued interest on your judgment amount, you must file a *Memorandum of Costs after Judgment* (MC-012) with your *Writ of Execution* (EJ-130). You must serve your *Memorandum of Costs after Judgment* (MC-012) on the judgment debtor prior to filing. The judgment debtor has 10 days after service of the *Memorandum of Costs after Judgment* (MC-012) to oppose it by filing a motion to tax costs (CCP § 685.070(c) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=685.070.&lawCode=CCP)). For more information on the procedure and forms, see our guide on Memorandum of Costs After Judgment (https://www.saclaw.org/resource_library/ej-memorandum-of-costs-after-judgment/) .

1.c **Obtain a File-Endorsed Copy of Your Judgment**

You will need to provide the court with a file-endorsed (stamped) copy of your judgment. If you do not have one, you may download a copy from the court's website (https://www.saccourt.ca.gov/indexes/online-services.aspx) .

1.d **File Your Documents**

File the following items with the court:

- *Writ of Execution* (EJ-130) (original + 2 photocopies)
- *Memorandum of Costs after Judgment* (MC-012), if desired (original + 2 photocopies)
- File-endorsed (stamped) copy of the judgment
- Filing fee (see court fee schedule to determine current fee) (https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf)
- Self-address stamped envelope

File in the drop box at the courthouse at 720 Ninth Street. Fill out and attach the *Civil Document Drop-Off Sheet* (http://www.saccourt.ca.gov/forms/docs/cv-drop-off-sheet.pdf) , and date stamp the back of your original documents.

If you filed a *Memorandum of Costs after Judgment* (MC-012) along with your *Writ of Execution* (EJ-130), and your costs are more than $100, the clerk will wait 10 days (15 days, if served by mail) to issue Writ of Execution, to allow the judgment debtor to oppose your costs by filing a Motion to Tax Costs (CCP § 685.070 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=685.070.)). If your costs are less than $100, or if you did not file a Memorandum of Costs, the clerk will issue your Writ immediately. The clerk will return the documents to you by mail. Your *Writ of Execution* (EJ-130) will be valid for 180 days after it is issued.

(2) **Complete the Application for Earnings Withholding Order**

The *Writ of Execution* (EJ-130) simply tells the sheriff to enforce a judgment, but does not specify the method(s) to be used. You must provide the Sheriff's Department with the details of how they are to enforce your judgment. The Judicial Council forms used to have the Sheriff garnish the debtor's wages are:

- *Application for Earnings Withholding Order (Wage Garnishment)* (WG-001) (http://www.courts.ca.gov/documents/wg001.pdf)
- *Confidential Statement of Judgment Debtor's Social Security Number* (WG-035) (http://www.courts.ca.gov/documents/wg035.pdf) (if debtor's Social Security Number is known)

Instructions for completing these forms are available at the end of this Guide.

(3) **Have Your Documents Served**

An "Earnings Withholding Order packet" must be served on the employer by a sheriff or registered process server. This packet includes the *Writ of Execution* (EJ-130), which must be valid at the time it is served on the employer. Be sure to time this properly, so that the packet is not served to the employer more than 180 days after the *Writ of Execution* (EJ-130) is issued. The Sacramento County Sheriff requests that you give them the packet no more than 120 days after the *Writ of Execution* (EJ-130) is issued, so they have enough time to serve the employer before it expires.

To have your documents served by the sheriff, bring the following items to the Sacramento County Sheriff's Civil Division (https://www.sacsheriff.com/pages/civil_bureau.php) , 2969 Prospect Park Drive, Suite 200, Rancho Cordova, CA 95670 (telephone: 916-875-2665):

- Original *Writ of Execution* (EJ-130)
- Original *Application for Earnings Withholding Order* (WG-001)
- *Confidential Statement of Judgment Debtor's Social Security Number* (WG-035) (if debtor's Social Security Number is known)
- Cash or check for service fee (see the department's fee schedule for current charges). (https://www.sacsheriff.com/documents/civil/FEE%20SCHEDULE%20-%202025.pdf)

The Sacramento County Sheriff will provide copies of the additional required documents, including:

- Earnings Withholding Order (WG-002)
- Employer's Return (Wage Garnishment) (WG-005)
- Employee Instructions (Wage Garnishment) (WG-003)

The Sheriff will issue the Earnings Withholding Order (WG-002) based on your application. They will note the Levying Officer's file number on the order – keep track of this number, so you can to track the status of your file

at the Sacramento County Sheriff's Office (http://www.sacsheriff.com/civilcases/) through the E-Services Portal. (https://civil.sacsheriff.com/Portal/)

The Employer will complete and sign the Employer's Return (Wage Garnishment) (WG-005), and give it to the Sheriff, who will mail it to you. At the end of the process, you will have a "packet" for your files, which will include:

- Writ of Execution (EJ-130)
- Application for Earnings Withholding Order (Wage Garnishment) (WG-001)
- Earnings Withholding Order (WG-002)
- Employer's Return (WG-005)
- Employee Instructions (WG-003)

If served outside Sacramento County, check with the local Sheriff to determine if they will provide these documents.

If you hire a registered process server to serve your documents, contact the server to determine their fees, what documents you must provide, and any additional information they will require.

Only the Sheriff can issue the Earnings Withholding Order, so a process server will need to first obtain the Order from the Sheriff, then serve the Earnings Withholding Order packet on the employer, and return the appropriate documentation, along with your fee, to the Sheriff, who is responsible for collecting and disbursing funds. Therefore, it is more practical for most litigants to have the Sheriff handle the entire procedure. All steps can be completed by the Sheriff for just a single fee. When a process server is used, the litigant is responsible for paying the Sheriff's fee, plus the process server's fee.

For the purposes of this guide, we will assume the Sheriff is handling the entire process.

(4) Wait for Response from the Debtor, if Any

Under state and federal law, some types of income and property are exempt from garnishment. If the judgment debtor believes his or her wages are exempt, the debtor has 10 days after receiving notice from his or her employer about the *Earnings Withholding Order* (WG-002) to file a *Claim of Exemption* (WG-006) with the Sheriff's Department to prevent the garnishment from beginning. The judgment debtor may file a *Claim of Exemption* (WG-006) at any time, but the wages already garnished will not be returned. The Sheriff's Department will mail the judgment creditor a *Notice of Filing of Claim of Exemption* (WG-008), along with a copy of the judgment debtor's *Claim of Exemption* (WG-006) and *Financial Statement* (WG-007).

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(5) **Oppose the Claim of Exemption, if Appropriate**

Be sure to review the judgment debtor's *Claim of Exemption* (WG-006) and *Financial Statement* (WG-007) carefully, to determine if you agree whether the funds are exempt from collection. You can read about most of these exemptions in *Exemptions from the Enforcement of Judgments* (EJ-155). An adaptation of the Exemptions list, with hyperlinks to the applicable code sections, is available on the Law Library's website. (https://www.saclaw.org/resource_library/exemption-from-the-enforcement-of-judgments/) If you agree that the funds are exempt, you do not need to do anything. After 10 days, the exemptions are automatically granted and the funds claimed exempt will be returned to the debtor.

If the judgment debtor does not file a *Claim of Exemption* (WG-006), skip to Step 7.

If you do not believe the funds are exempt from collection, and decide to oppose the claim of exemption, you must act quickly. There is an extremely tight turnaround on the deadlines for oppositions.

(5.a) **Determine when to schedule your hearing.**

You, as the person filing the opposition, are responsible for selecting the hearing date. The timing for opposing a Claim of Exemption can be very tricky. There are three different time periods you have to consider, all of which may overlap.

Your *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) must be served on the judgment debtor, given to the levying officer and filed with the court within 10 calendar days after the Sheriff mails you the judgment debtor's *Notice of Filing of Claim of Exemption* (WG-008) (CCP § 706.105(d), (e) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=706.105.)).

Your *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) and *Notice of Hearing on Claim of Exemption* (WG-010/EJ-175) must be filed with the court, given to the levying officer and served on the judgment debtor at least 16 court days before your hearing. If served by mail, add 5 calendar days (CCP § 1005 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005.)).

MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11 Sheriff Mails COE	12 Day 1
13 Day 2	14 Day 3	15 Day 4	16 Day 5	17 Day 6	18 Day 7	19 Day 8
20 Day 9	21 Day 10 Last day to file & serve	22 Day 1	23 Day 2	24 Day 5 Day 3	25 Day 4 Day 4	26 Day 3 Day 5
27 Day 2 Day 6	28 Day 1 Holiday Day 7	29 Day 16 Day 8	30 Day 15 Day 9	31 Day 14 Day 10		

Your hearing must be held within 30 calendar days of filing your *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) (CCP § 706.105(e) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=706.105.)).

For example, let's say the Sheriff mails the Notice of Claim of Exemption to you on May 11th. You have 10 days to serve your opposition to the sheriff and judgment debtor, and file it with the court. The last day to file your opposition is May 21st (shown in Green above). Your hearing must be held within 30 days of filing, so if you file on May 21st, the last day for your hearing is June 20th (shown in Blue above).

Now comes the tricky part. As the party making this motion, you are responsible for selecting the hearing date. You may select any date that is convenient for you, as long as it provides the minimum required notice to the judgment debtor. CCP § 1005 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005.) requires you to provide 16 **court** days' notice. If you serve your documents by mail within California, you must add 5 **calendar** days. These days are counted backwards from the hearing date. CCP § 12c (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=12c.) . The court dates that will allow you to provide the required amount of notice will typically fall near the end of your 30 day window to have the hearing. In this example, we will be using June 20th as our desired hearing date. You may have to check several dates until you find one that will work for your situation.

To confirm that a hearing date will allow sufficient notice, count backward (CCP § 12c (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=12c.)) 16 **court** days (shown in Red above). Day one is the day before the hearing date (June 19th). Do not count weekends or court holidays (there is only one court holiday in this example, which is Memorial Day, May 28th). May 29th is the 16th court day. This is the last day to serve your documents if personally served. If your documents are served by first-class mail, additional time is added to the calculation, depending on where the mail originates and where it is sent (CCP § 1005 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005.)). For example, if the documents are mailed from California to an address in California, five **calendar** days are added before the sixteen court days. Calendar days include weekends and holidays, but if the final day lands on a weekend or holiday, it is rolled over to the previous court day. Counting backward 5 calendar days makes the last date for service May 24th (shown in Purple above). However, this date is after the 10 day window for service after mailing of the Notice of Claim of Exemption (requiring service to be made by May 21st). So if you filed and served your *Notice of Hearing on Claim of Exemption* and *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) on May 21st, you will have provided sufficient notice for a hearing on June 20th.

In the previous example, we filed and served our documents on the same day (May 21st). Filing and service do not have to occur on the same day; there are often advantages to doing these steps separately. Let's say instead you wanted your hearing on June 19th. Counting backward 16 court days plus 5 calendar days makes the last day for service May 18th (the 5th day is May 20th, a Sunday, so the last day for service is the previous court day, Friday May 18th). However, you could not file your papers on the 18th, because that would make the final date for your hearing June 18th (the 30th day is June 17th, but rolls to the next court day). Your June 19th hearing would be too late. In a situation like this, you may want to consider serving your documents on the earlier date (May 18th) so you give proper notice, and waiting until the later date (May 21st) to file them with the court.

MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	Since day 5 is Sunday, rolls over to previous Court date			11 Sheriff Mails COE	12 Day 1
13 Day 2	14 Day 3	15 Day 4	16 Day 5	17 Day 6	18 Day 7 Last day to serve	19 Day 8
20 Day 9 Day 5	21 Day 10 Day 4 Last day to file	22 Day 3 Day 1	23 Day 2 Day 2	24 Day 1 Day 3	25 Day 16 Day 4	26 Day 5
27 Day 6	28 Holiday Day 7	29 Day 15 Day 8	30 Day 14 Day 9	31 Day 13 Day 10		

JUNE

Sun	Mon	Tue	Wed	Thu	Fri	S
					1 Day 12 Day 11	2 Day
3 Day 13	4 Day 11 Day 14	5 Day 10 Day 15	6 Day 9 Day 16	7 Day 8 Day 17	8 Day 7 Day 18	9 Day
10 Day 20	11 Day 6 Day 21	12 Day 5 Day 22	13 Day 4 Day 23	14 Day 3 Day 24	15 Day 2 Day 25	16 Day
17 Day 27	18 Day 1 Day 28	19 Hearing Date Day 29	20 Day 30	21	22	23
24	25	26	27	28	29	30

To give yourself the widest window to have your hearing:

- Serve your opposition early in the 10 day window. Since your hearing date requires you to provide 16 court days' plus 5 calendar days' notice, the earlier you serve your documents, the earlier your first possible hearing date.
- File your opposition with the court late in your 10 day window. The last possible date for your hearing is 30 calendar days after filing your Notice of Opposition with the court. The later you file with the court, the later your final possible hearing date will be.

If you wait until the last day to serve and file your documents, you may find that there is only one possible day to have your hearing!

5.b **Determining the Department to Hear and the Time of the Motion**

In Sacramento, Oppositions to Claims of Exemption are heard in the "Civil Home Court" department assigned to the case, which will be either department 25, 28, 53, or 54. Check your case file online (https://prod-portal-sacramento-

ca.journaltech.com/public-portal/) to find which department your case is assigned to.

Note: Prior to November 10, 2025, each civil case was assigned to either Department 53 or 54 for most motions. If your case was filed before that date, **its assigned department may have changed**, so check before scheduling a hearing.

More information about Civil Home Court department transition (https://saclaw.org/resource_library/new-civil-home-court-system-in-sacramento/) :

5.c Reserve your Hearing Date

In the Civil Home Departments, you must reserve a court date through the court's online reservation system. For other departments, contact the department clerk to determine the procedure.

To use the online system, go to the Sacramento Court Public Portal (https://prod-portal-sacramento-ca.journaltech.com/public-portal/) and choose "Reservation System (CRS)." You must have a free account on the system to use it.

5.d File and Serve your Documents

The *Notice of Filing of Claim of Exemption* (WG-008) provides detailed instructions for filing and serving your *Notice of Opposition to Claim of Exemption* (WG-009/EJ-170) and *Notice of Hearing on Claim of Exemption* (WG-010/EJ-175). Be sure to follow the instructions carefully.

You must include notice of the tentative ruling system with your documents. You can create your own notice on pleading paper using the language for this notice available from the Sacramento County Superior Court's website at Local Rules, rule 1.06 (1.06 Posting of Civil Tentative Rulings (https://www.saccourt.ca.gov/local-rules/docs/local-rules.pdf)). (https://www.saccourt.ca.gov/civil/docs/cv-tentative-ruling.pdf)

6 Check Your Tentative Ruling

Sacramento Superior Court uses a Tentative Ruling System. Pursuant to Local Rule 1.06 (https://www.saccourt.ca.gov/local-rules/docs/local-rules.pdf) , the court will make a tentative ruling on the merits of your matter by 2:00 p.m. the court day before the hearing. You may read the tentative ruling online, or may call (916) 874-7858 or (916) 874-7848) to hear it.

In the tentative ruling, the judge will determine what funds, if any, are exempt from collection. The ruling will typically order the release of non-exempt funds to the creditor, and order the continued garnishment of non-exempt funds.

If you are happy with the tentative ruling, you do not need to do anything. You won't have to go to court unless ordered to appear in the tentative ruling or unless the other side calls you and the court between 2:00 p.m. and 4:00 p.m. the court day before your hearing date to request an oral argument in front of the judge. If that happens, you should go to the court hearing and be prepared to argue your case.

You can present arguments in front of the judge. To do so, call the Law and Motion Oral Argument Request Line at (916) 874-2615 by 4:00 p.m. the Court day before the hearing. You must also contact all opposing counsel and/or self-represented parties before 4:00 p.m. to let them know that you are requesting oral argument on the motion. If neither you nor the opposing counsel or self-represented party requests oral argument, the court will simply make the tentative ruling the order of the court, and no oral argument will be permitted.

For information on how to view the tentative ruling online, see Public Portal (https://prod-portal-sacramento-ca.journaltech.com/public-portal/) from the Sacramento County Superior Court's website.

⑦ Sheriff Will Release Funds to You

The Earnings Withholding Order remains in effect, and the sheriff will continue to collect on it, until your judgment is fully satisfied, released, or expires (10 years after entry, unless you renew it), or until the debtor's employment is terminated. If the debtor changes jobs, you will need to set up a new wage garnishment.

The sheriff will collect the appropriate amount from each paycheck. A check will be mailed to you at the address shown on the *Application for Earnings Withholding Order (Wage Garnishment)* (WG-001) within 10 days after the funds are collected.

For Help

SH@LL (Self-Help at the Law Library) (https://saclaw.org/services/civil-self-help/)
609 9th Street, Sacramento CA 95814
(916) 476-2731 (Appointment Request Line)

Services Provided: SH@LL provides general information and basic assistance to self-represented litigants on a variety of legal issues. All assistance is provided by telephone. Visit "What we can help with (https://saclaw.org/services/civil-self-help/#canhelp)" for a list of qualifying cases.

Eligibility: Must be a Sacramento County resident or have a qualifying case (https://saclaw.org/services/civil-self-help/#who) in the Sacramento County Superior Court.

For More Information

On the Web:

California Courts Self-Help Website – Collect Your Judgment (http://www.courts.ca.gov/1014.htm)

Enforcement of Judgments (https://www.saclaw.org/learn/self-help-videos/?title=&type=3730)
This four-part video series from the Sacramento County Public Law Library's Civil Self Help Center covers the most successful methods of collection, including obtaining an earnings withholding order and bank levy.

California Forms of Pleading and Practice () KFC 1010 .A65 C3 (Ready Reference)
Electronic Access: On the Law Library's computers, using Lexis Advance.

California Practice Guide: Enforcing Judgments and Debts KFC 1065 .A9 S3

Debt Collection Practice in California KFC 256 .C83
Electronic Access: On the Law Library's computers, using *OnLaw.*

Enforcing Civil Money Judgments KFC 1065 .C34
Electronic Access: On the Law Library's computers, using *OnLaw.*

How to Collect When You Win a Lawsuit in California KFC 1065 .Z9 H69 (Reference)

Matthew Bender Practice Guide: California Debt Collection and Enforcement of Judgments KFC 1065 .E5 M38
Electronic Access: On the Law Library's computers, using *Lexis Advance.*

Samples

Writ of Execution

Court name, address, and branch.

Your name, address, and phone number. In Pro Per means you're representing yourself. Check the box next to "Judgment Creditor."

Plaintiff's and Defendant's names as they appeared on the Complaint.

The County where the assets are located (company headquarters for wages).

Case Number.

Check the box that describes your case.

Check the box for Execution (Money Judgment).

Enter your name, and check Original Judgment Creditor.

Judgment debtor's name and address. If there are multiple judgment debtors, check the box below and answer 21 on the next page.

Enter date(s). If never renewed, leave question 6 blank.

Check box a.

Questions 8 and 10 apply only to rare situations. Question 9 does not apply to Writs of Execution used for Wage Garnishments. Leave all three questions blank.

11. Judgment amount.

12. Amount of costs listed on your MC-012. Otherwise, enter 0.

13. Add lines 11+12.

14. Amount of any payments or other credits.

15. Subtract line 13-14.

16. Amount of interest listed on your MC-012. Otherwise, enter 0.

17. If you paid a fee for issuing this writ, list it here. If you have a fee waiver, enter 0.

18. Add 15+16+17.

19a. Multiply the amount on line 15 by 0.0002739 (if 10% interest)* or 0.0001369 (if 5% interest)* to get the daily interest rate, and enter the amount here.

19b. Write '0,' unless the court has ordered the judgment debtor to pay any costs directly to the court. Otherwise, enter the unpaid cost amount.

20. Leave blank, unless you have multiple debtors owing different amounts.

* Judgments for medical expenses or personal debt entered or renewed after 1/1/2023 accrue 5% interest, all others accrue 10% interest.

Writ of Execution (EJ-130) (page 1)

Plaintiff's and Defendant's names as they appeared on the Complaint.

Case number.

EJ-130

Plaintiff/Petitioner: CALVIN J CREDITOR

Defendant/Respondent: DOUG J DEBTOR

CASE NUMBER:
34-2015-00123456

21. ☐ Additional judgment debtor(s) *(name, type of legal entity if not a natural person, and last known address):*

Only answer this question if your case had multiple defendants.

22. The judgment is for *(check one):*

   a. ☐ wages owed.

   b. ☐ child support or spousal support.

   c. ☒ other. Debt Collection

23. ☐ Notice of sale has been requeste

A Writ of Execution is used for a variety of collection methods, so the form includes a variety of questions. If this Writ of Execution will be used to start a Wage Garnishment, questions 22-24 will not apply, so leave them blank.

24. ☐ Joint debtor was declared bound by the judgment (CCP 989-994)

   a. *on (date):*

   b. name, type of legal entity if not a natural person, and last known address of joint debtor:

   a. *on (date):*

   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 24c.

25. ☐ (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 25a(3)), or if the *Prejudgment Claim of Right to Possession* was not served in compliance with CCP 415.46 (item 25a(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):*

Item 25 continued on next page

EJ-130 [Rev. September 1, 2020]

WRIT OF EXECUTION

Page 2 of 3

Writ of Execution (EJ-130) (page 2)

Plaintiff's and Defendant's names as they appeared on the Complaint.

Case number.

EJ-130

Plaintiff/Petitioner: CALVIN J CREDITOR
Defendant/Respondent: DOUG J DEBTOR

CASE NUMBER:
34-2015-00123456

25. b. ☐ Possession of personal property.
☐ If delivery cannot be had, then for the value *(itemize in 25e)* 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 25e.

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.

EJ-130 [Rev. September 1, 2020] **WRIT OF EXECUTION** Page 3 of 3

Writ of Execution (EJ-130) (page 3)

Application for Earnings Withholding Order

Application for Earnings Withholding Order (Wage Garnishment) (WG-001)

Confidential Statement of Judgment Debtor's Social Security Number

Confidential Statement of Judgment Debtor's Social Security Number (WG-035)

Next steps:

After you provide the Sheriff with the Writ of Execution, the Sheriff will provide copies of the additional required documents, including an Earnings Withholding Order (WG-002), Employer's Return (Wage Garnishment) (WG-005), and the Employee Instructions (Wage Garnishment) (WG-003) to the employer.

If the debtor makes a Claim of Exemption, the Sheriff will send you a Notice of Filing of Claim of Exemption along with a copy of the Claim of Exemption (EJ-160) and Financial Statement (EJ-165). If after you review those documents you feel that the claim of exemption is unjustified, you can set a hearing on the Claim of Exemption. Use the Notice of Hearing on Claim of Exemption to notify the debtor.

Notice of Opposition to Claim of Exemption

Notice of Opposition to Claim of Exemption (WG-009)

Notice of Hearing on Claim of Exemption

Notice of Hearing on Claim of Exemption (WG-10) (page 1)

Case name, usually the last names of the parties.

Levying Officer's File Number.

WG-010/EJ-175

SHORT TITLE:
CREDITOR vs. DEBTOR

LEVYING OFFICER FILE NO.
13-0000356

COURT CASE NO.
09-00012345

Case Number.

PROOF OF SERVICE BY MAIL

I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred. My residence or business address is *(specify):*

764 Oak Avenue
Sacramento, CA 95834

Address of person serving the documents.

I served the attached Notice of Hearing on Claim of Exemption and the attached Notice of Opposition to Claim of Exemption by enclosing true copies in a sealed envelope addressed to each per [...] w and depositing the envelope in the United States mail with the postage fully prepaid.

Date and location of mailing.

(1) Date of deposit: May 21, 2012

(2) Place of deposit *(city and state):*
Sacramento, CA 95814

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

Doug J. Debtor
11 Main St. #22
Sacramento, CA 95814

Name and address of the person served.

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

Date: May 21, 2012

Name, date, and signature of person serving documents.

Sally Server

_____
(TYPE OR PRINT NAME)

_____
(SIGNATURE OF DECLARANT)

PROOF OF SERVICE—PERSONAL DELIVERY

I am over the age of 18 and not a party to this cause. My residence or business address is *(specify):*

The *Notice of Hearing on Claim of Exemption* (WG-010/EJ-175) may be served by mail or in person. If served by mail, the server should complete only the top half of this form. If personally served, complete only the bottom half of this form.

I served the attached Notice of Hearing on Claim of Exemption and the attache [...] copies to the person served as shown below.

PERSONS S[...]

Name

Delivery At
Date: Time:

Address.

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)

WG-010/WJ-175 [Rev. January 1, 2007]

NOTICE OF HEARING ON CLAIM OF EXEMPTION
(Wage Garnishment—Enforcement of Judgment)

Page 2 of 2

Notice of Hearing on Claim of Exemption (WG-10) (page 2)