Request a Default Judgment by Court

A defendant has 30 days from the date he or she is personally served with your summons and complaint to file a written response, or 40 if you served them by substituted service. (California Code of Civil Procedure (CCP) § 412.20(a) (3) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=412.20.)).

This is not an automatic cutoff. The court will still accept a response from the defendant after 30 days, until you file a *Request for Entry of Default*. Once the clerk enters a default in the court record, the defendant is no longer able to file a response or otherwise participate in the case.

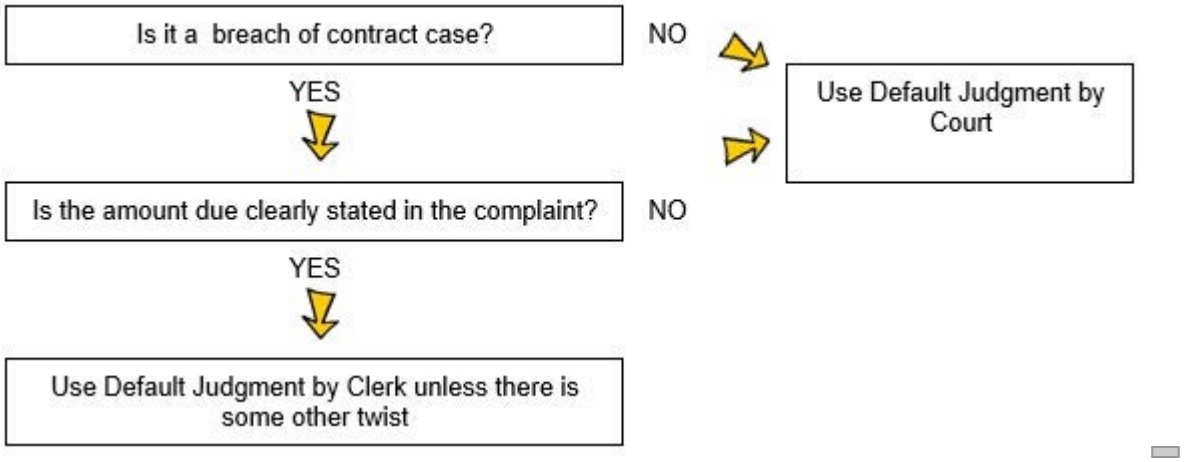
Templates and Forms

- Request for Entry of Default (CIV-100) (https://www.courts.ca.gov/documents/civ100.pdf)
- Judgment of Default by Court (CV/E-122) Sacramento Cases Only (https://www.saccourt.ca.gov/forms-fees/-folder-28-637#docfold_637_988_14_28)
- Judgment (JUD-100) Non-Sacramento Cases Only (https://www.courts.ca.gov/documents/jud100.pdf)
- Request for Dismissal (CIV-110) (https://www.courts.ca.gov/documents/civ110.pdf)
- Declaration re: Accrual of Interest (MC-030) (https://www.courts.ca.gov/documents/mc030.pdf)
- Declaration in Support of Request for Default by Court – DOCX (https://saclaw.org/wp-content/uploads/2026/02/sbs-request-a-default-judgment-by-court-declaration.docx)
- Statement of Damages (CIV-050) (https://www.courts.ca.gov/documents/civ050.pdf)

The plaintiff can also request a judgment entered in his or her favor, at the same time as the default, or later. This is known as requesting a default judgment.

The clerk can grant a default judgment in some breach of contract cases. We have a separate guide for that; (https://saclaw.org/resource_library/request-a-default-judgment-by-clerk-2/) it is simpler. In other cases it must be done by the judge (“default judgment by court”).

Cler



Step-by-Step Instructions

1 **Make sure defendant has actually missed their deadline**

Deadline:

- Personal service—30 calendar days from service
- Substituted service – 40 calendar days from follow-up mailing (longer if outside California)

The defendant has 30 days from the date of personal service to file his or her response. If the defendant was served by substituted service, service is considered complete on the 10th day after the follow-up mailing required to complete substituted service (CCP § 415.20(a) (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=415.20.)), so, as a practical matter, the default cannot be taken until more than 40 days have passed after this mailing.

If the last day is a weekend or holiday, the deadline extends until the next business day. The first day you can file your Request for Default is the 31st (or 41st) day.

Declaration of Venue and Statements of Damages: As discussed above, you must also have served the Declaration of Venue, Statement of Damages, and/or Punitive Damages Statement, as needed, and waited an additional 30 (or 40) days unless it was served with the Summons and

Complaint.

2 Choose entry of default only, or entry of default and court judgment

Obtaining a default judgment involves two steps: the request for entry of default and the request for entry of court judgment. You can request both at the same time, or you can take these steps at different times.

Entry of Default only: If you want to cut off the defendant from responding as soon as possible, but you need additional time to get all the paperwork ready for the judgment, file the Request for Entry of Default (CIV-100) now and the request for judgment later. Here are the steps:

- Fill out Request for Entry of Default (CIV-100) and sign it. A sample filled-in form with instructions is available in the Forms section of this guide.
- Make three copies.
- Have *someone else* (a person over 18 who is not a party to the case) serve (mail) one copy to the defendant. On the rest of the copies, have the server fill out and sign Item 6 on page 2 (“Declaration of Mailing”).
- File the original and both copies with the Clerk.
- Complete the rest of this guide when you are ready to request the judgment. Your deadline is within 45 days after entry of default, unless you ask the court for an extension.

Entry of Default and Court Judgment: If you have all the paperwork you need to request the judgment as well, you can request it at the same time as the entry of default, on the same form. The additional paperwork is fairly simple.

Judgment only: If you have already gotten the default entered, you will just ask for the judgment.

For the rest of this guide, we will assume you are filing both steps simultaneously.

3 Complete the necessary forms

The Judicial Council and local Sacramento County forms commonly used in this procedure are:

- Request for Entry of Default (CIV-100)

- Judgment by Default by Court (CV/E-122) (If you are not in Sacramento County, use Judgment (JUD-100) or your local form)
- Request for Dismissal (CIV-110), if dismissing other parties (see Step 4)
- Declaration re: Accrual of Interest (MC-030), if claiming pre-judgment interest (see Step 5)

In addition, you will need to write a *Declaration in Support of Application for Default Judgment*. There is no Judicial Council form for this declaration. Instead, it must be typed on 28-line pleading paper. A customizable template may be downloaded from this link:

- Declaration In Support of Application for Default Judgment Pursuant to CCP § 585(d) (see Step 7)

Fillable forms and templates for all of these are linked at the top of this Guide. Sample filled-in forms with instructions are available at the end of this Guide.

You will also need to provide:

- The original Summons if not yet filed, or a file-stamped copy if already filed
- The original Proof of Service of Summons if not yet filed, or a file-stamped copy if already filed
- Proof of Service of Declaration of Venue, Statement of Damages, and/or Reservation of Rights to Punitive Damages, if needed.

When do you need a Declaration of Venue or Statement of Damages?
(https://saclaw.org/resource_library/missing-declaration-of-venue-or-statement-of-damages-requirement-can-trip-you-up/)

4 Dismiss any other parties (DOES)

Before you can obtain a judgment, you must dismiss any parties other than the party(ies) in default. This usually means any DOES you included in the Complaint. If you did not name anyone other than the party(ies) in default, skip this step.

To dismiss parties, fill out Request for Dismissal (CIV-110). A sample filled-in form with instructions is available at the end of this Guide.

5 Complete your Declaration re: Accrual of Interest

Many contracts include interest on a loan or on overdue payments in addition to the principal amount owed. To obtain any pre-judgment interest you claimed in your Complaint, you must prepare a declaration to the court showing how you calculated that amount. You may use *Declaration* (MC-030) for this declaration. A sample is included at the end of this Guide, which you can adapt to fit your own facts and circumstances.

In breach of contract cases, pre-judgment interest will accrue at the rate of interest specified in the contract; if no rate is specified, interest will accrue at 10% per year. Civ § 3287(c) (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV&sectionNum=3287.) caps pre-judgment interest in cases against a government entity at 7% per year.

To calculate your pre-judgment interest, you must determine the daily rate of interest and multiply that by the number of days for which interest should accrue. For example, if a loan of $15,000 with a 10% interest rate was breached 200 days ago, the prejudgment interest calculation would be:

$15,000 x 10% = $1500 interest per year
$1500 ÷ 365 = $4.11 interest per day
$4.11 x 200 = $822 prejudgment interest

You may use the judgment calculator on the San Diego Court's website (https://ijcalc.sdcourt.ca.gov/) to determine the amount of interest. When using this calculator, enter the date the contract was breached in the field for "judgment date." This will calculate interest from that date to the date you run the calculation. The calculator will show you the daily interest rate, which you can use if you need to adjust your calculations.

6 Complete Memorandum of Costs, if any

If you have court costs that you want to recover, fill out the Memorandum of Costs portion of the Request for Entry of Judgment (CIV-100), which is item 7 on that form. If you were granted a fee waiver, you will probably not need to do this part.

If you do fill it out, it should be simple. Since the case is ending with a default, you should not have many costs to list – probably filing fees and the cost of service.

7 Complete Your Declaration in Support of Default Judgment

When you apply for your judgment, you must include a declaration under penalty of perjury in support of your application. CCP § 585(d). (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=585.&lawCode=CCP)

In the declaration, you must provide clear and concise evidence of every element in each of the causes of action in your complaint to prove to the judge why a judgment should be awarded to you. For example, if your cause of action is for negligence, you must prove:

- Element 1. That the defendant owed a duty to the plaintiff;
- Element 2. That the defendant breached that duty;
- Element 3. That you (the plaintiff) were harmed; and
- Element 4. That the defendant's negligence was a substantial factor in causing your harm.

The official *California Civil Jury Instructions* (CACI) provide plain-English explanations of the elements of almost every cause of action. Our guide on "Jury Instructions (https://www.saclaw.org/resource_library/jury-instructions/)" describes how to use jury instructions as a checklist for gathering evidence. You may also wish to consult these Law Library resources for information on how to prove the elements of various causes of action:

- **California Causes of Action** KFC 1003 .C35
  Electronic Access: On the Law Library's computers, using *VitalLaw*
- **California Elements of an Action** KFC 1003 .S7

Attaching Exhibits Exhibits for the original and other two copies should be separated by a blank piece of pleading paper with their exhibit letter or number typed or written at the bottom of the page.

Declaration
In your declaration, you must also prove the amount of money or other remedies you should be awarded, explaining the evidence you relied upon when determining the amount you are owed. Copies of documents such as receipts, contracts, police reports, etc. should be attached as

exhibits where needed.

At the end of this guide is a sample declaration. You may use it as an example of the types of information to include, and the amount of detail the court will want from you. You will need to adapt the language to fit your own facts and circumstances.

You may download a customizable template from this link:

- Declaration In Support of Application for Default Judgment Pursuant to CCP § 585(d)

A template for this declaration on pleading paper is linked at the top of this Guide. If you prefer, you may use *Declaration* (MC-030) and attach *Attachment to Judicial Council Form* (MC-025) if you need additional pages.

Ideally, this declaration will replace an in-person hearing with the judge. You must provide the judge with all the information necessary to rule in your favor. In order to fully prove your case, you will likely need to attach exhibits to your declaration, such as receipts, contracts, police reports, etc.

8 Copy and assemble documents

Make three (3) copies of each:

- Request for Dismissal (CIV-110), if applicable
- Request for Entry of Default (CIV-100)
- Judgment by Default by Court (CV/E-122) (or JUD-100 if outside Sacramento)
- Declaration re: Accrual of Interest (MC-030) (if applicable)
- Declaration in Support of Application for Default Judgment Pursuant to CCP § 585(d)

Staple each photocopy, but **leave the originals unstapled**. Set aside one photocopy of each document for service on the other party. For the remaining copies of each document, place the original on top of its photocopies, and paperclip them together.

9 Have your documents served

You must have someone over the age of 18 who is not a party in the case mail a set of the photocopies you made in Step 8 to the defendant. This person must then complete a *Proof of Service by Mail* (POS-030). Make two photocopies of the signed proof of service. See our Step-by-Step guide on Serving Documents by Mail (https://saclaw.org/resource_library/serving-documents-by-mail/) for more information.

10 File your documents

You must file the original and two (2) remaining photocopies of:

- Request for Entry of Default (CIV-100)
- Declaration re: Accrual of Interest (MC-030)
- Judgment by Default by Court (CV/E-122) (or JUD-100 if outside Sacramento)
- Request for Dismissal (CIV-110), if applicable
- Proof of Service (POS-030) for all of the above documents (from Step 9)
- Memorandum of Costs (MC-010) with Proof of Service (p2) complete, if you are using it (from Step 6)
- Original *Summons* (SUM-100) (if not yet filed), or filed endorsed (stamped) copy
- *Proof of Service of Summons* (POS-010) (if not yet filed), or filed endorsed (stamped) copy

In Sacramento, if you do not have filed endorsed copies of the Summons and Proof of Service of Summons, you may download them from the court's online Public Portal (https://services.saccourt.ca.gov/PublicCaseAccess).

If needed, you must also file:

- Copy of written contract, with cover sheet (use *Declaration* (MC-030) as cover sheet) (if not attached to complaint)
- Proof of Service of Declaration of Venue, Statement of Damages, and/or Reservation of Rights to Punitive Damages (if served separate from Summons)

In Sacramento, file your documents in the drop box on the second floor of the Tani G. Cantil-Sakauye Courthouse at 500 G Street, Second Floor, Sacramento CA 95814. Fill out and attach the *Civil Document Drop-Off Sheet* (https://www.saccourt.ca.gov/home/showpublisheddocument/861/639099448674370000) , and date stamp the back of each original document. A supply of *Civil Document Drop-Off Sheets* and a date stamp are located near the drop box. Include a self-addressed stamped envelope with enough postage to mail your documents back to you.

The court cannot tell you exactly when your default will be processed. Unfortunately, default judgment by court paperwork tends to take a number of months to be processed.

11 Attend the Default Hearing, if Required

Typically, the court will review the materials you submit, and will grant your judgment (or reject it and request additional evidence) based on the paperwork. If, after reviewing the materials you submit, the court determines that personal testimony is required, you will be notified by the court of the hearing date. Be sure to attend the hearing, and bring with you any documents or other items that you believe support the claims made in your complaint.

12 Serve Judgment and File Proof of Service

The court will mail you a signed copy of your judgment. Make one photocopy of this judgment, and have someone over the age of 18 who is not a party in the case mail a copy of the judgment to the defendant. This person must then complete a *Proof of Service by Mail* (POS-030). Make a photocopy of the signed proof of service, and file the original and photocopy with the court.

More like this:

Request Default by Clerk (https://saclaw.org/resource_library/request-a-default-judgment-by-clerk-2/)

Relief from Default (Set-Aside) (https://saclaw.org/resource_library/motion-to-set-aside-relief-from-default-judgment/)

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

At the Law Library:

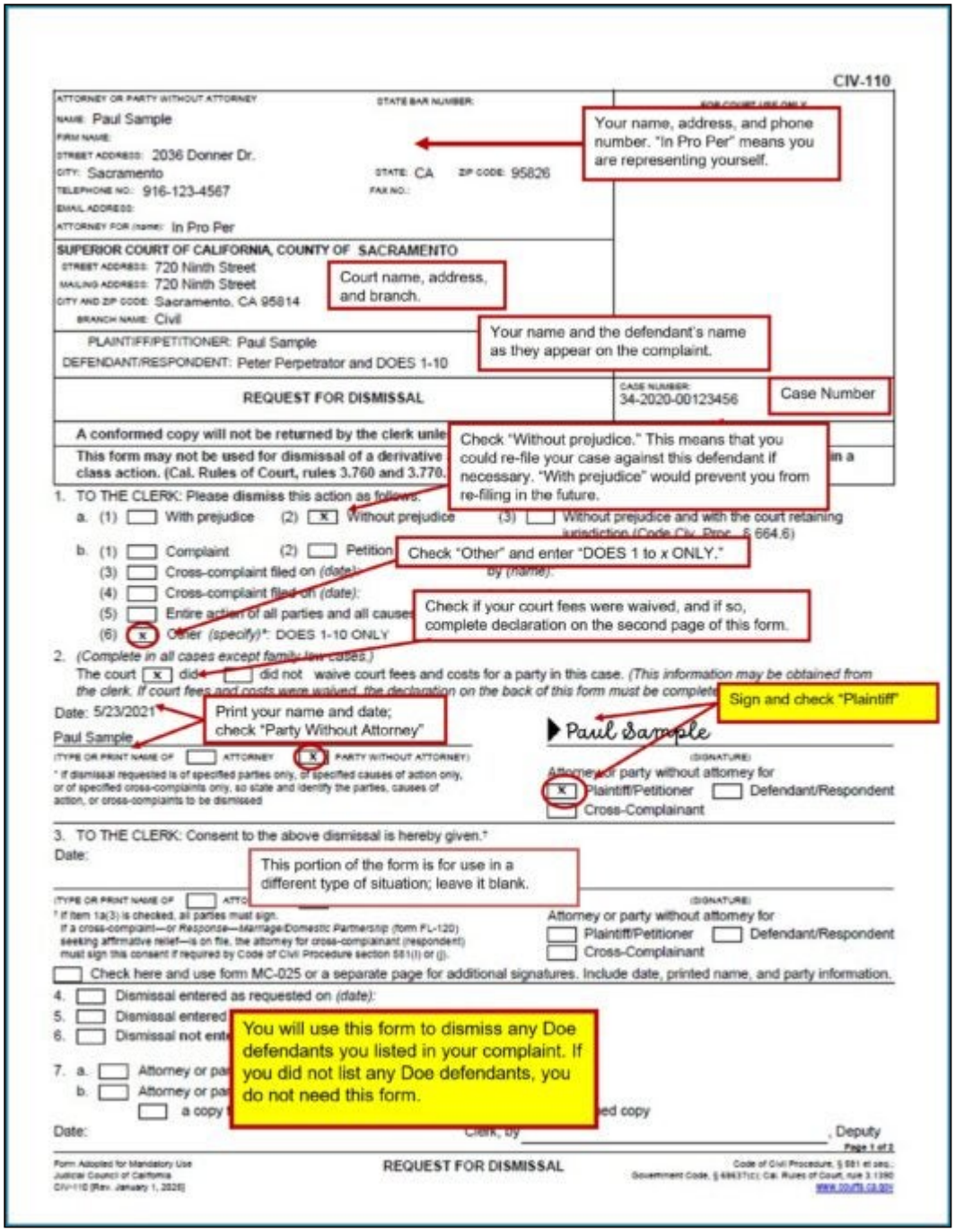
Win Your Lawsuit KFC 968 .Z9 D86 (Self Help) Chap. 9

California Forms of Pleading and Practice KFC 1010 .A65 C3 (Ready Ref) Chap. 165
Electronic Access: On the Law Library's computers, using *Lexis Advance.*

California Civil Procedure Before Trial KFC 995 .C34 Chap. 38
Electronic Access: On the Law Library's computers, using *OnLaw*.

Samples

Request for Dismissal (if needed)


CIV-110
Your name, address, and phone number. "In Pro Per" means you are representing yourself.
Court name, address, and branch.
Your name and the defendant's name as they appear on the complaint.
Case Number
Check "Without prejudice." This means that you could re-file your case against this defendant if necessary. "With prejudice" would prevent you from re-filing in the future.
Check "Other" and enter "DOES 1 to x ONLY."
Check if your court fees were waived, and if so, complete declaration on the second page of this form.
Print your name and date; check "Party Without Attorney"
Sign and check "Plaintiff"
This portion of the form is for use in a different type of situation; leave it blank.
You will use this form to dismiss any Doe defendants you listed in your complaint. If you did not list any Doe defendants, you do not need this form.

CIV-110

PLAINTIFF/PETITIONER: Paul Sample
DEFENDANT/RESPONDENT: Peter Perpetrator and DOES 1-10

Your name and the defendant's name as they appear on the complaint.

CASE NUMBER: 34-2020-00123456

Case Number

COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover $10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

Mark box 2a.

Declaration Concerning Waived Court Fees

1. The court waived court fees and costs in this action for *(name)*: **Paul Sample**

Name of person whose fees were waived.

2. The person named in item 1 is *(check one below)*
   a. [X] not recovering anything of value by this action.
   b. [ ] recovering less than $10,000 in value by this action.
   c. [ ] recovering $10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3. All court fees and court costs that were waived in this action have been paid to the court *(check one)*: [X] Yes [ ] No

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

Date: 5/23/2021

Print name and date; check "Party Making Declaration."

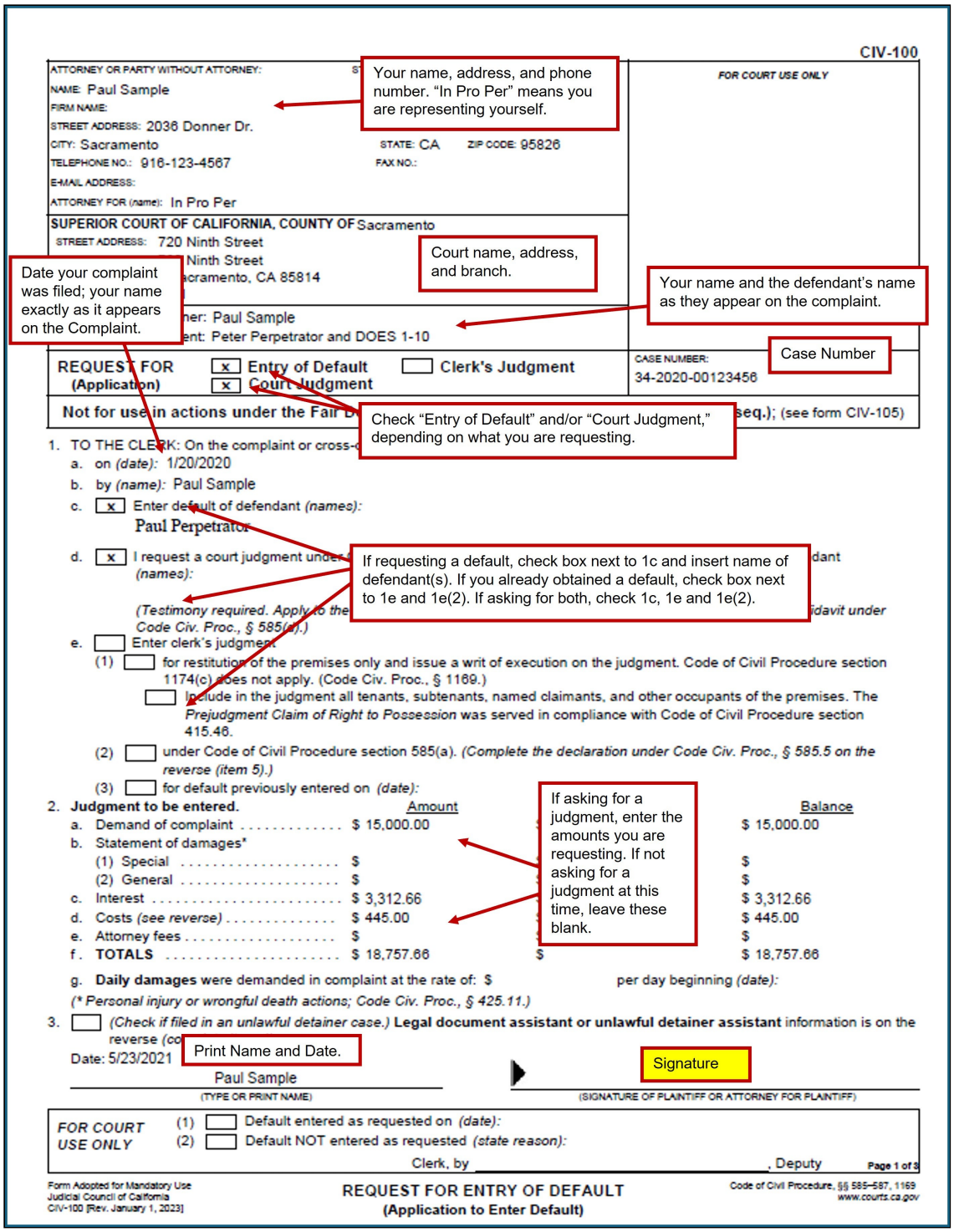
Signature

Paul Sample
(TYPE OR PRINT NAME OF [ ] ATTORNEY [X] PARTY MAKING DECLARATION) (SIGNATURE)

If your filing fees were waived, you must complete this page of the form. If your fees were not waived, you do not need to complete the second page of this form.

CIV-110 [Rev. January 1, 2025] REQUEST FOR DISMISSAL Page 2 of 2

Request for Entry of Default and Court Judgment



CIV-100

ATTORNEY OR PARTY WITHOUT ATTORNEY:
NAME: Paul Sample
FIRM NAME:
STREET ADDRESS: 2036 Donner Dr.
CITY: Sacramento STATE: CA ZIP CODE: 95826
TELEPHONE NO.: 916-123-4567 FAX NO.:
E-MAIL ADDRESS:
ATTORNEY FOR (name): In Pro Per

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
STREET ADDRESS: 720 Ninth Street
Ninth Street
cramento, CA 85814

ner: Paul Sample
ent: Peter Perpetrator and DOES 1-10

REQUEST FOR (Application) [x] Entry of Default [x] Court Judgment [ ] Clerk's Judgment
CASE NUMBER: 34-2020-00123456

Not for use in actions under the Fair D... seq.); (see form CIV-105)

1. TO THE CLERK: On the complaint or cross-c...
   a. on *(date)*: 1/20/2020
   b. by *(name)*: Paul Sample
   c. [x] Enter default of defendant *(names)*: Paul Perpetrator
   d. [x] I request a court judgment under ... dant *(names)*:
   (Testimony required. Apply to the ... idavit 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.**

	Amount		Balance
a. Demand of complaint	$ 15,000.00		$ 15,000.00
b. Statement of damages*			
(1) Special	$		$
(2) General	$		$
c. Interest	$ 3,312.66		$ 3,312.66
d. Costs *(see reverse)*	$ 445.00		$ 445.00
e. Attorney fees	$		$
f. **TOTALS**	$ 18,757.66	$	$ 18,757.66

   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 *(co...*

Date: 5/23/2021
Paul Sample
(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY
(1) [ ] Default entered as requested on *(date)*:
(2) [ ] Default NOT entered as requested *(state reason)*:
Clerk, by _____, Deputy

Page 1 of 3

Form Adopted for Mandatory Use
Judicial Council of California
CIV-100 [Rev. January 1, 2023]

REQUEST FOR ENTRY OF DEFAULT
(Application to Enter Default)

Code of Civil Procedure, §§ 585–587, 1169
www.courts.ca.gov

Your name, address, and phone number. "In Pro Per" means you are representing yourself.

Court name, address, and branch.

Date your complaint was filed; your name exactly as it appears on the Complaint.

Your name and the defendant's name as they appear on the complaint.

Case Number

Check "Entry of Default" and/or "Court Judgment," depending on what you are requesting.

If requesting a default, check box next to 1c and insert name of defendant(s). If you already obtained a default, check box next to 1e and 1e(2). If asking for both, check 1c, 1e and 1e(2).

If asking for a judgment, enter the amounts you are requesting. If not asking for a judgment at this time, leave these blank.

Print Name and Date.

Signature

Your name and the defendant's name as they appear on the complaint.

CIV-100

Plaintiff/Petitioner: Paul Sample Defendant/Respondent: Peter Perpetrator and DOES 1-10	CASE NUMBER: 34-2020-00123456

4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant [ ] did [x] did **not** for compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal d… lawful detainer assistant, state:

Check "did **not**."

a. Assistant's name:
b. Street address, city, and zip code:
c. Telephone no.:
d. County of registration:
e. Registration no.:
f. Expires on *(date)*:

Check appropriate boxes in 5a, 5b, and 5c.

5. [x] **Declaration under Code Civ. Proc., § 585.5** *(fa… der Code Civ. Proc., § 585(a))*. This action
   a. [ ] is [x] is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
   b. [ ] is [x] is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
   c. [ ] is [x] 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. [ ] **not mailed** to the following defendants, … y *(names)*:
   b. [x] **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:

Check box next to 6b and insert date of mailing, name of defendant, and address where served.

   (1) Mailed on *(date)*: 5/23/2021
   (2) To *(specify names and addresses shown on the envelopes)*:
   Peter Perpetrator
   11 Main St. #22
   Sacramento, CA 95814

I declare under penal… of the State of California that the foregoing items 4, 5, and 6 are true and correct.
Date: 5/23/2021

Print name and date.

Paul Sample
(TYPE OR PRINT NAME)

Signature

(SIGNATURE OF DECLARANT)

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 ..... $ 385.00
   b. Process server's fees ..... $ 60.00
   c. Other *(specify)*: $
   d. $
   e. **TOTAL** ..... $ 445.00
   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.

Amount paid for filing and process server fees; total.

I declare under pe… of the State of California that the foregoing item 7 … ct.
Date: 5/23/2021

Print name and date.

Paul Sample
(TYPE OR PRINT NAME)

Signature

(SIGNATURE OF DECLARANT)

CIV-100 [Rev. January 1, 2023] **REQUEST FOR ENTRY OF DEFAULT** Page 2 of 3

CIV-100

Plaintiff/Petitioner: Paul Sample Defendant/Respondent: Peter Perpetrator and DOES 1-10	CASE NUMBER: 34-2020-00123456

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

I know that no defendant/respondent named in item 1c is in the U.S. military service because *(check all that apply)*:

a. [X] the search results that I received from https://scra.dmdc.osd.mil/ say the defendant/respondent is not in the U.S. military service.
b. [ ] I am in regular communication with the defendant/respondent and know that they are not in the U.S. military service.
c. [ ] I recently contacted the defendant/respondent, and they told me that they are not in the U.S. military service.
d. [ ] I know that the defendant/respondent was discharged from U.S. military service on or about *(date)*:
e. [ ] the defendant/respondent is not eligible to serve in the U.S. military because they are:
[ ] incarcerated [ ] a business entity
f. [ ] other *(specify)*:

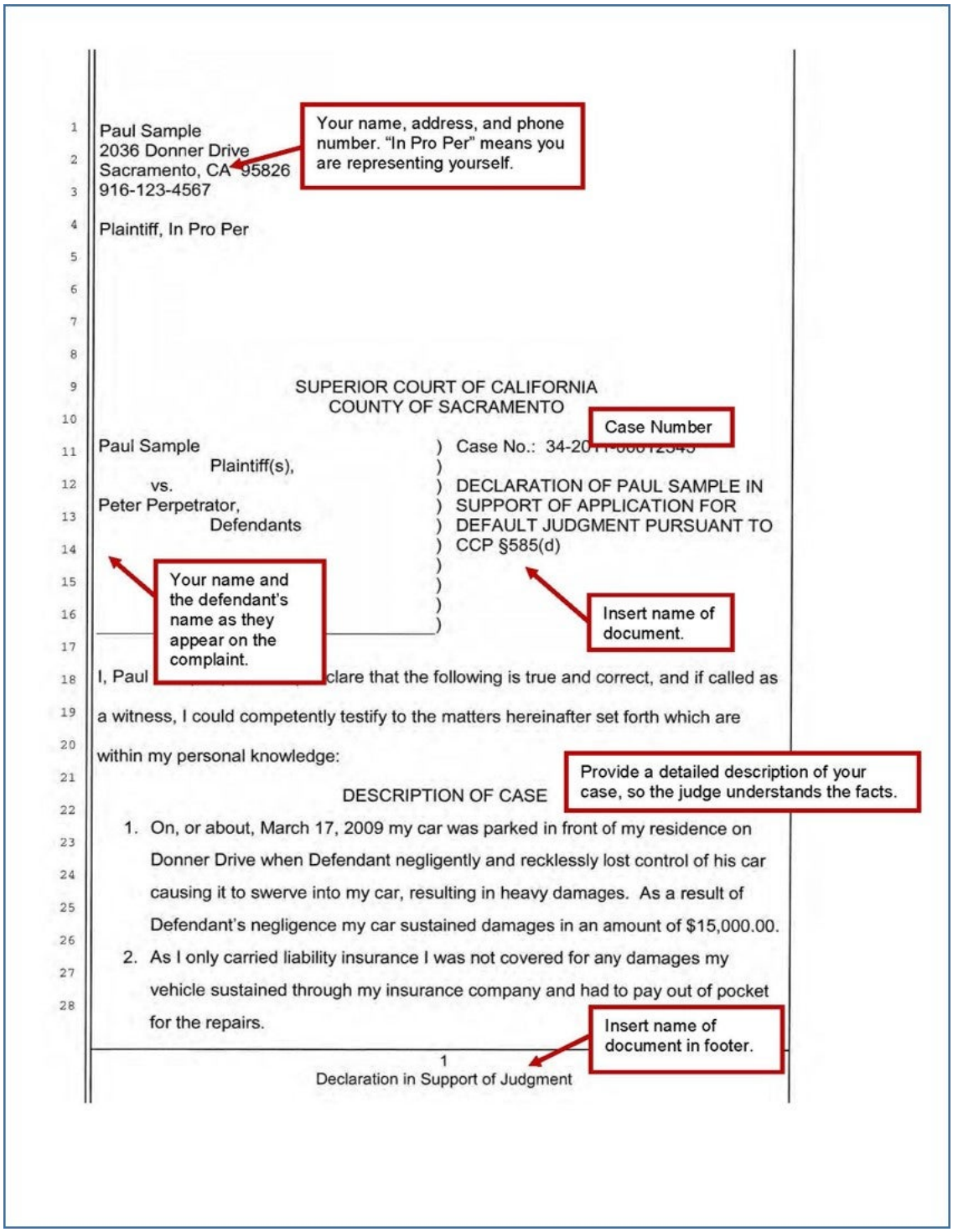
You must verify that the defendant isnot currently in the military before obtaining a judgment by default.

Choose the box that explains how you learned that defendant is not in the military.

Note

- U.S. military status can be checked online at https://scra.dmdc.osd.mil/.
- If the defendant/respondent is in the military service, or their military status is ur ndent is entitled to certain rights and protections under federal and state law before a ered.
- For more information, see https://selfhelp.courts.ca.gov/military-defaults.

Declaration in Support of Default Judgment



Paul Sample
2036 Donner Drive
Sacramento, CA 95826
916-123-4567

Your name, address, and phone number. "In Pro Per" means you are representing yourself.

Plaintiff, In Pro Per

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

Case Number

Paul Sample, Plaintiff(s), vs. Peter Perpetrator, Defendants — Case No.: 34-20[illegible]

DECLARATION OF PAUL SAMPLE IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO CCP §585(d)

Your name and the defendant's name as they appear on the complaint.

Insert name of document.

I, Paul [illegible] clare that the following is true and correct, and if called as a witness, I could competently testify to the matters hereinafter set forth which are within my personal knowledge:

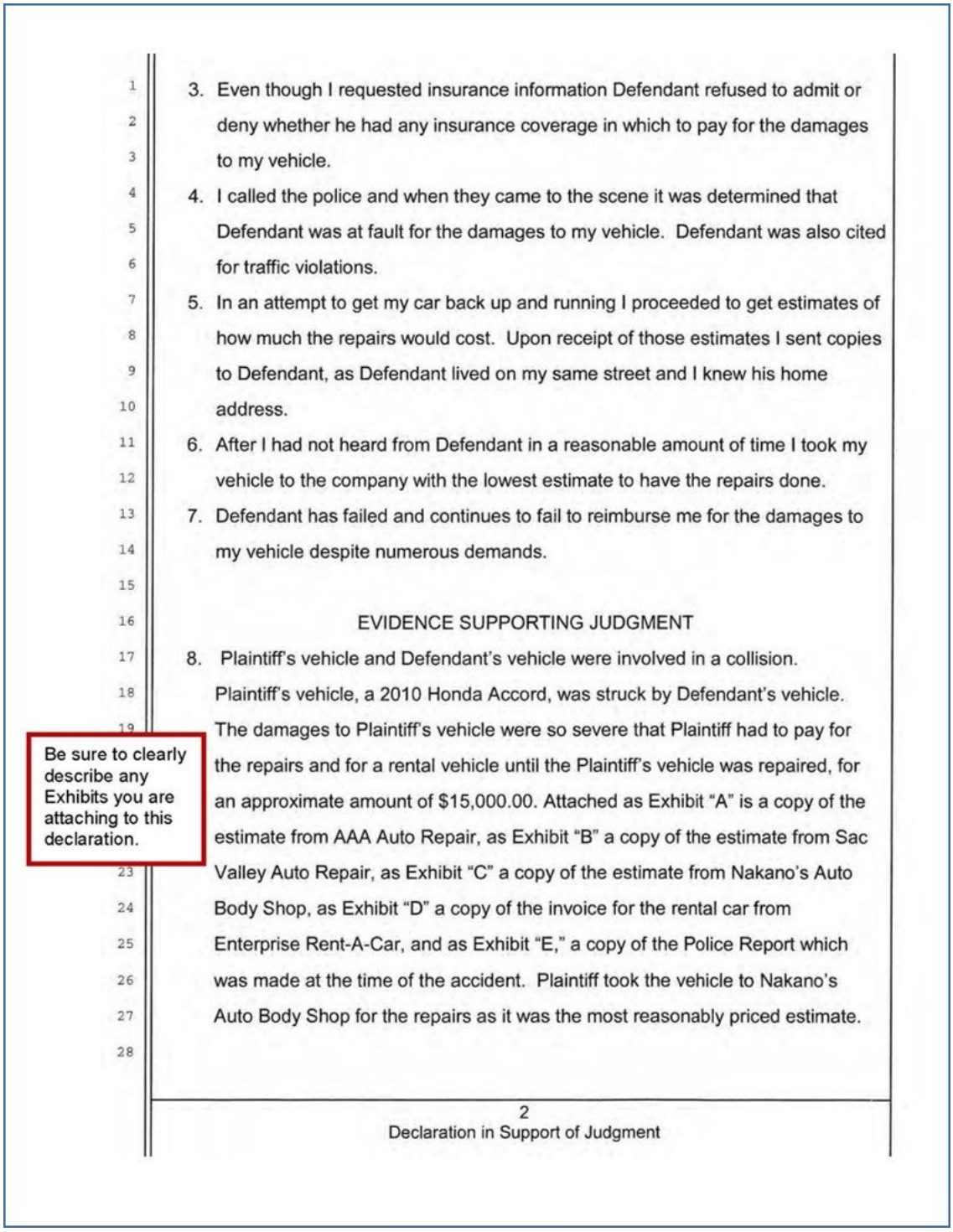
Provide a detailed description of your case, so the judge understands the facts.

DESCRIPTION OF CASE

1. On, or about, March 17, 2009 my car was parked in front of my residence on Donner Drive when Defendant negligently and recklessly lost control of his car causing it to swerve into my car, resulting in heavy damages. As a result of Defendant's negligence my car sustained damages in an amount of $15,000.00.
2. As I only carried liability insurance I was not covered for any damages my vehicle sustained through my insurance company and had to pay out of pocket for the repairs.

Insert name of document in footer.

1
Declaration in Support of Judgment



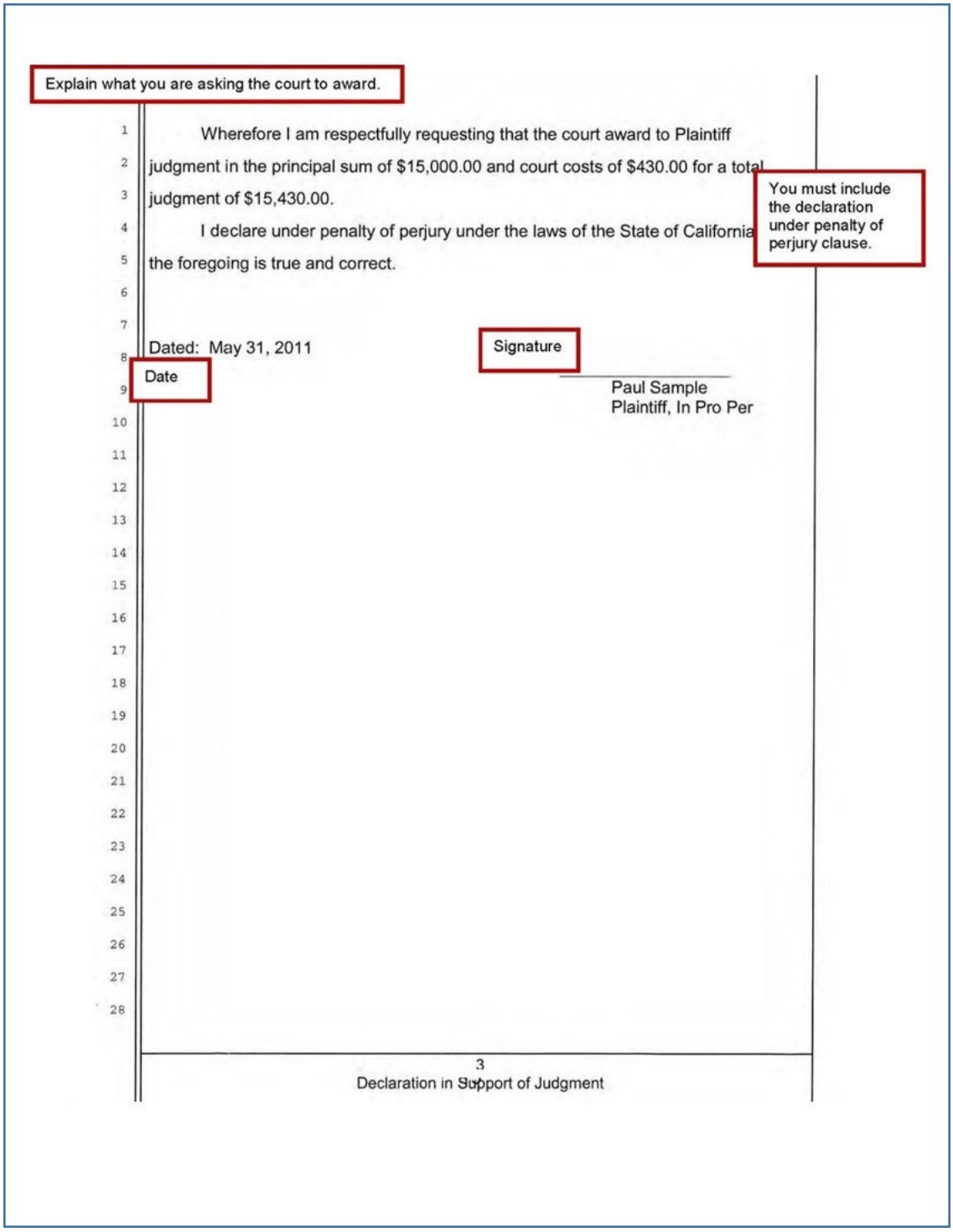
3. Even though I requested insurance information Defendant refused to admit or deny whether he had any insurance coverage in which to pay for the damages to my vehicle.
4. I called the police and when they came to the scene it was determined that Defendant was at fault for the damages to my vehicle. Defendant was also cited for traffic violations.
5. In an attempt to get my car back up and running I proceeded to get estimates of how much the repairs would cost. Upon receipt of those estimates I sent copies to Defendant, as Defendant lived on my same street and I knew his home address.
6. After I had not heard from Defendant in a reasonable amount of time I took my vehicle to the company with the lowest estimate to have the repairs done.
7. Defendant has failed and continues to fail to reimburse me for the damages to my vehicle despite numerous demands.

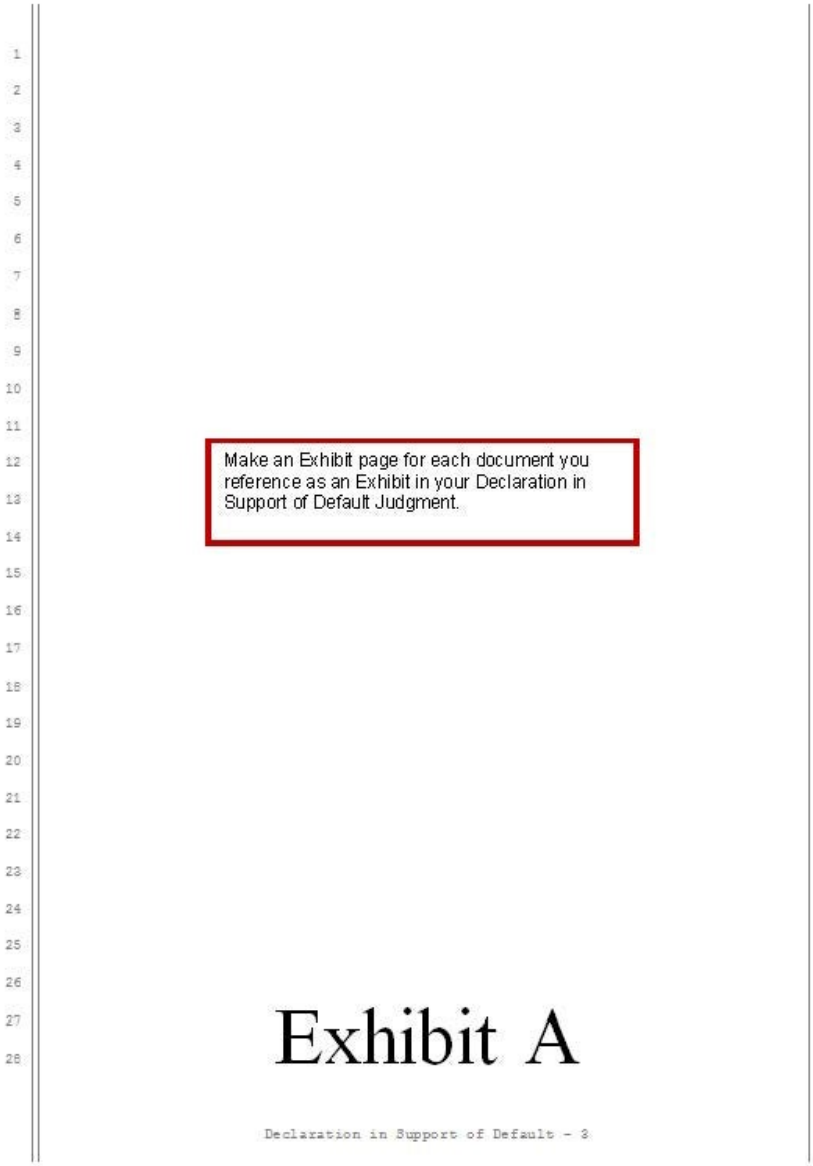
EVIDENCE SUPPORTING JUDGMENT

8. Plaintiff's vehicle and Defendant's vehicle were involved in a collision. Plaintiff's vehicle, a 2010 Honda Accord, was struck by Defendant's vehicle. The damages to Plaintiff's vehicle were so severe that Plaintiff had to pay for the repairs and for a rental vehicle until the Plaintiff's vehicle was repaired, for an approximate amount of $15,000.00. Attached as Exhibit "A" is a copy of the estimate from AAA Auto Repair, as Exhibit "B" a copy of the estimate from Sac Valley Auto Repair, as Exhibit "C" a copy of the estimate from Nakano's Auto Body Shop, as Exhibit "D" a copy of the invoice for the rental car from Enterprise Rent-A-Car, and as Exhibit "E," a copy of the Police Report which was made at the time of the accident. Plaintiff took the vehicle to Nakano's Auto Body Shop for the repairs as it was the most reasonably priced estimate.

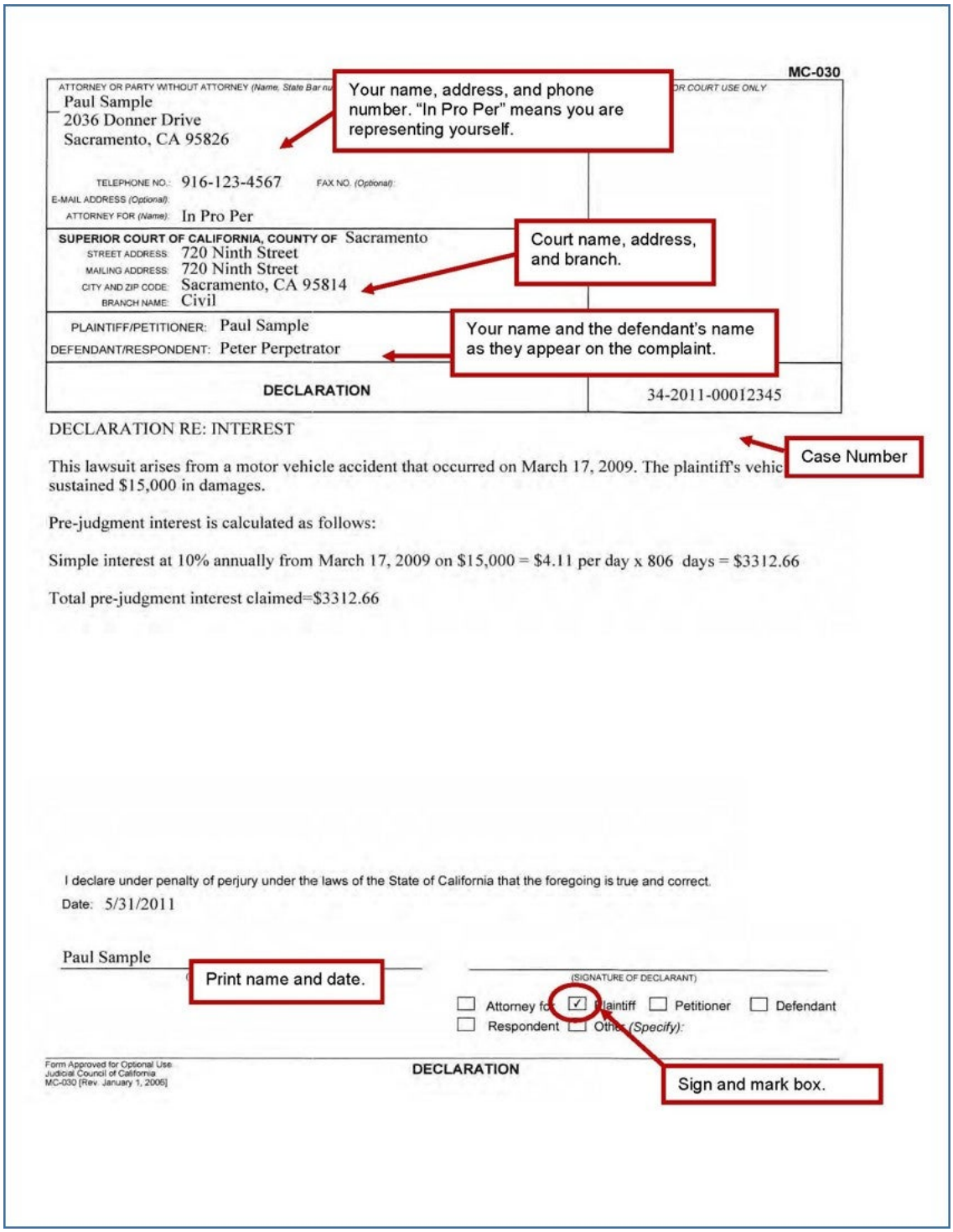
2
Declaration in Support of Judgment

Be sure to clearly describe any Exhibits you are attaching to this declaration.


Explain what you are asking the court to award.
Wherefore I am respectfully requesting that the court award to Plaintiff judgment in the principal sum of $15,000.00 and court costs of $430.00 for a total judgment of $15,430.00.
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.
You must include the declaration under penalty of perjury clause.
Dated: May 31, 2011
Date
Signature
Paul Sample
Plaintiff, In Pro Per
3
Declaration in Support of Judgment


Make an Exhibit page for each document you reference as an Exhibit in your Declaration in Support of Default Judgment.
Exhibit A
Declaration in Support of Default - 3

Declaration re: Interest



MC-030

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar nu... FOR COURT USE ONLY
Paul Sample
2036 Donner Drive
Sacramento, CA 95826

Your name, address, and phone number. "In Pro Per" means you are representing yourself.

TELEPHONE NO.: 916-123-4567 FAX NO. (Optional):
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name): In Pro Per

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
STREET ADDRESS: 720 Ninth Street
MAILING ADDRESS: 720 Ninth Street
CITY AND ZIP CODE: Sacramento, CA 95814
BRANCH NAME: Civil

Court name, address, and branch.

PLAINTIFF/PETITIONER: Paul Sample
DEFENDANT/RESPONDENT: Peter Perpetrator

Your name and the defendant's name as they appear on the complaint.

DECLARATION | 34-2011-00012345

Case Number

DECLARATION RE: INTEREST

This lawsuit arises from a motor vehicle accident that occurred on March 17, 2009. The plaintiff's vehic... sustained $15,000 in damages.

Pre-judgment interest is calculated as follows:

Simple interest at 10% annually from March 17, 2009 on $15,000 = $4.11 per day x 806 days = $3312.66

Total pre-judgment interest claimed=$3312.66

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date: 5/31/2011

Paul Sample

Print name and date.

(SIGNATURE OF DECLARANT)

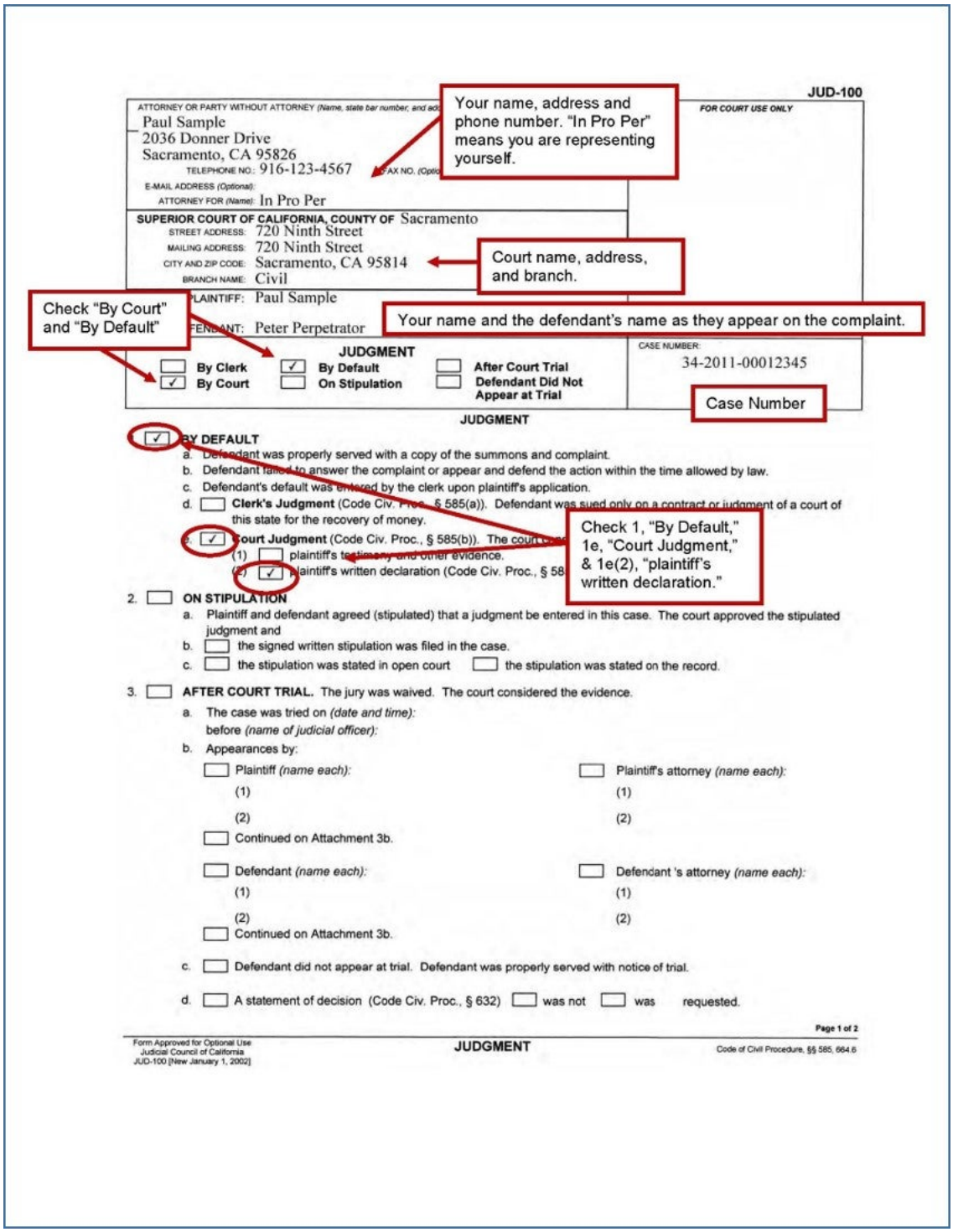
☐ Attorney for ☑ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other (Specify):

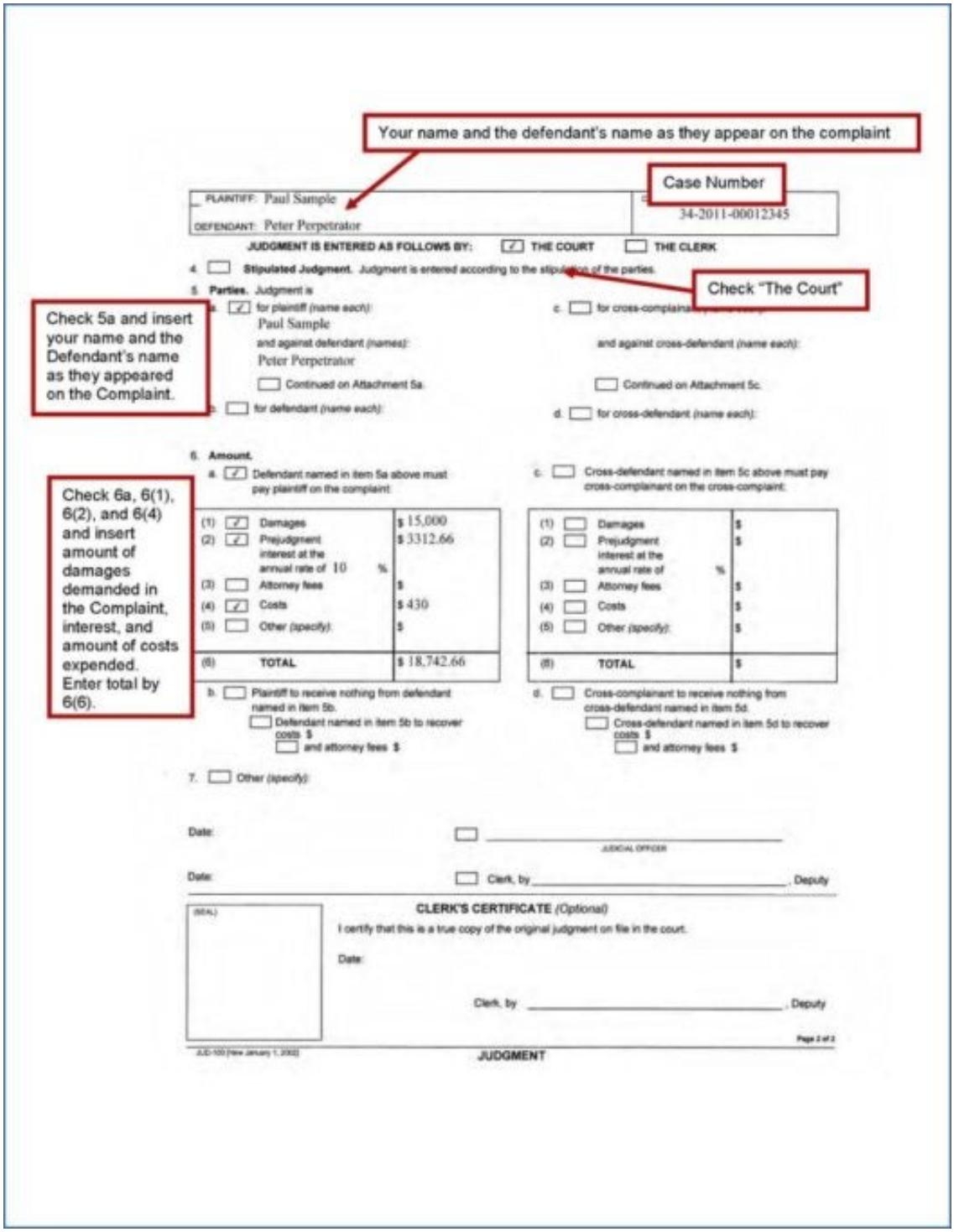
Sign and mark box.

Form Approved for Optional Use
Judicial Council of California
MC-030 [Rev. January 1, 2006]

DECLARATION

Judgment


JUD-100
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and ad
Paul Sample
2036 Donner Drive
Sacramento, CA 95826
TELEPHONE NO.: 916-123-4567
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name): In Pro Per
FOR COURT USE ONLY
Your name, address and phone number. "In Pro Per" means you are representing yourself.
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
STREET ADDRESS: 720 Ninth Street
MAILING ADDRESS: 720 Ninth Street
CITY AND ZIP CODE: Sacramento, CA 95814
BRANCH NAME: Civil
Court name, address, and branch.
PLAINTIFF: Paul Sample
DEFENDANT: Peter Perpetrator
Your name and the defendant's name as they appear on the complaint.
Check "By Court" and "By Default"
JUDGMENT
By Clerk
By Court
By Default
On Stipulation
After Court Trial
Defendant Did Not Appear at Trial
CASE NUMBER:
34-2011-00012345
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., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
e. Court Judgment (Code Civ. Proc., § 585(b)). The court
(1) plaintiff's testimony and other evidence.
(2) plaintiff's written declaration (Code Civ. Proc., § 58
Check 1, "By Default," 1e, "Court Judgment," & 1e(2), "plaintiff's written declaration."
2. ON STIPULATION
a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
b. the signed written stipulation was filed in the case.
c. the stipulation was stated in open court the stipulation was stated on the record.
3. 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. Appearances by:
Plaintiff (name each):
(1)
(2)
Continued on Attachment 3b.
Plaintiff's attorney (name each):
(1)
(2)
Defendant (name each):
(1)
(2)
Continued on Attachment 3b.
Defendant 's attorney (name each):
(1)
(2)
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.
Page 1 of 2
Form Approved for Optional Use
Judicial Council of California
JUD-100 [New January 1, 2002]
JUDGMENT
Code of Civil Procedure, §§ 585, 664.6


Your name and the defendant's name as they appear on the complaint
Case Number
PLAINTIFF: Paul Sample
DEFENDANT: Peter Perpetrator
34-2011-00012345
JUDGMENT IS ENTERED AS FOLLOWS BY: THE COURT THE CLERK
Check "The Court"
Check 5a and insert your name and the Defendant's name as they appeared on the Complaint.
Paul Sample
Peter Perpetrator
Check 6a, 6(1), 6(2), and 6(4) and insert amount of damages demanded in the Complaint, interest, and amount of costs expended. Enter total by 6(6).
$ 15,000
$ 3312.66
$ 430
$ 18,742.66
CLERK'S CERTIFICATE (Optional)
I certify that this is a true copy of the original judgment on file in the court.
JUDGMENT

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