

TO (Name and Address): Concetta McBride, Gregory McBride, All Other Occupants in Possession 12326 Maravilla Drive Salinas, CA 93908		LEVYING OFFICER (Name and Address): Monterey County Sheriff's Office Civil Division 1414 Natividad Rd Salinas, CA 93906 (831) 755-3712 Fax: (831) 755-3830	
EMAIL:		California Relay Service Number (800) 735-2929 TDD or 711	
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: Monterey County Superior Court 1200 Aguajito Road P.O. Box 751 Monterey, CA 93940		COURT CASE NO: 17CV000216	
PLAINTIFF: Deutsche Bank Trust Company		LEVYING OFFICER FILE NO: 2017048380	
DEFENDANT: Concetta McBride, Gregory McBride			
Notice to Vacate			

By virtue of the Writ of Execution for Possession/Real Property (eviction), issued out of the above court, you are hereby ordered to vacate the premises described on the writ.

Eviction Address:	12326 Maravilla Drive Salinas, CA 93908
Final notice is hereby given that possession of the property must be turned over to the landlord on or before:	Wednesday, May 24, 2017 06:01 am

Should you fail to vacate the premises within the allotted time, I will immediately enforce the writ by removing you from the premises. All personal property upon the premises at the time will be turned over to the landlord, who must return said personal property to you upon your payment of the reasonable cost incurred by the landlord in storing the property from the date of eviction to the date of payment. If the property is stored on the landlord's premises, the reasonable cost of storage is the fair rental value of the space necessary for the time of storage. If you do not pay the reasonable storage costs and take possession within fifteen (15) days, the landlord may either sell your property at a public sale and keep from the proceeds of the sale the costs of storage and of the sale (1988 CCC), or, if the property is valued at less than \$700.00, the landlord may dispose of your property or retain it for his own use. (715.010(b)(3), 1174 CCP)

If you claim a right of possession of the premises that accrued prior to the commencement of this action, or if you were in possession of the premises on the date of the filing of the action and you are not named on the writ, complete and file the attached Claim of Right of Possession form with this office. No claim of right to possession can be filed if box 24a(1) located on the back of the writ is checked unless the eviction is the result of a foreclosure.



Steve Bernal
Sheriff-Coroner

By: _____

Sheriff's Authorized Agent

Original

(c) CountySuite Sheriff, Teleosoft, Inc.

118704

Page 1 of 2
Code of Civil Procedure, §§ 699.520, 712.010, 715.010
Government Code, § 6103.5
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PLAINTIFF: Deutsche Bank Trust Company	CASE NUMBER: 17CV000216
DEFENDANT: Concetta McBride, Gregory McBride	

— Items continued from page 1—

21. ☒ Additional judgment debtor (name, type of legal entity stated in judgment if not a natural person, and last known address):

Gregory McBride

12326 MARAVILLA DR

SALINAS, CA 93908

All Other Occupants in Possession

12326 MARAVILLA DR

SALINAS, CA 93908

22. ☐ Notice of sale has been requested by (name and address):

23. ☐ Joint debtor was declared bound by the judgment (CCP 989–994)

a. on (date):

a. on (date):

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

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c. ☐ additional costs against certain joint debtors (itemize):

24. ☒ (Writ of Possession or Writ of Sale) Judgment was entered for the following:

a. ☒ Possession of real property: The complaint was filed on (date): 01/17/2017

(Check (1) or (2)):

(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.

(a) \$ 0.00 was the daily rental value on the date the complaint was filed.

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b. ☐ Possession of personal property.

☐ If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.

c. ☐ Sale of personal property.

d. ☐ Sale of real property.

e. Description of property: 12326 MARAVILLA DR, SALINAS, CA 93908

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 make a demand upon you for 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.

► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.

1. If you live here and you do not complete and submit this form, you may be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. You must file this form within 10 days of the date of service listed in the box on the right hand side of this form.
 - **Exception:** If you are a tenant being evicted after your landlord lost the property to foreclosure, the 10-day deadline does not apply to you and you may file this form at any time before final judgment is entered.
3. If you file this form, your claim will be determined in the eviction action against the persons named in the complaint.
4. If you do not file this form, you may be evicted without further hearing.
5. If you are a tenant being evicted due to foreclosure, you have additional rights and should seek legal advice immediately.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address): Eeon, a Natural person 12326 Maravilla Drive Salinas, California a Non-Military zone A COMPETENT NON-ATTORNEY	TELEPHONE NO.: NA	FOR COURT USE ONLY
NAME OF COURT: MONTERAY COUNTY SUPERIOR COURT 1200 AGUAJITO ROAD P.O. BOX 751 MONTERAY CALIFORNIA		
Plaintiff: McBride, et al Defendant: DEUTSCHE BANK, et al		
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION		
Complete this form only if all of these statements are accurate: 1. You are not named in the accompanying Summons and Complaint. 2. You occupied the subject premises on or before the date the unlawful detainer (eviction) complaint was filed. 3. You still occupy the subject premises.	CASE NUMBER: 17 CV 000216 <i>(To be completed by the process server)</i> DATE OF SERVICE: <i>(Date that form is served or delivered, posted, and mailed by the officer or process server)</i>	

I DECLARE THE FOLLOWING BY WAY OF THIS AFFIDAVIT:

1. My name is (specify): *Eeon*
2. I reside at (street address, unit no., city and ZIP code): **12326 Maravilla Drive Salinas California**
3. The address of "the premises" subject to this claim is (address): **same as above**
4. On or about *May 16, 2017*, the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises.
5. I occupied the premises on the date the complaint was filed. I have continued to occupy the premises ever since. My mother was dying of cancer and finally succumbed February 3, 2017. I was out of town due to the family emergency and the landlord knew this and never served me.
6. I was at least 18 years of age on the date the complaint was filed.
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (*the date in item 4*).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (*Filing fee*) I understand that I must go to the court and pay a filing fee of -- I am **indigent** or file with the court an "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file the form for waiver of court fees, I will not be entitled to make a claim of right to possession.

Plaintiff: McBride, et al
Defendant: DEUTSCHE BANK, et al

CASE NUMBER:

17 CV 000216

11. If my landlord lost this property to foreclosure, I understand that I can file this form at any time before final judgment is entered, and that I have additional rights and should seek legal advice.
12. I understand that I will have *five days* (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

NOTICE: If you fail to file this claim, you may be evicted without further hearing.

13. **Rental agreement.** I have (*check all that apply to you*):

- a. ☒ an oral or written rental agreement with the landlord.
- b. ☐ an oral or written rental agreement with a person other than the landlord.
- c. ☐ an oral or written rental agreement with the former owner who lost the property to foreclosure.
- ☐ other (*explain*):

I declare as well as attest that the foregoing is accurate so help me God.

I retain all rights and as a natural person I cannot be made subject to the loss of status or capacity!

Date:

Eeon

(TYPE OR PRINT NAME)



(SIGNATURE OF CLAIMANT)

NOTICE: If you file this claim to possession, the unlawful detainer action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.

— NOTICE TO OCCUPANTS —

YOU MUST ACT AT ONCE if all the following are true:

1. You are **NOT** named in the Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed.
3. You still occupy the premises.

You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the form) at the court where the unlawful detainer (eviction) complaint was filed. If you are a tenant and your landlord lost the property you occupy through foreclosure, this 10-day deadline does not apply to you. You may file this form at any time before judgment is entered. You should seek legal advice immediately.

If you do not complete and submit this form (and pay a filing fee or file a fee waiver form if you cannot pay the fee), **YOU WILL BE EVICTED.**

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. *If you do not file this claim, you may be evicted without a hearing.*

Plaintiff: McBride, et al
Defendant: DEUTSCHE BANK, et al

CASE NUMBER:

17 CV 000216

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☐ other (*explain*):

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