

Name: _____ Mailing Address: _____ _____ _____ Phone Number: _____	
PLAINTIFF: DEFENDANT:	Case Number: _____
APPLICATION FOR STAY OF EVICTION (Kings County Superior Court Local Rule 404)	
NOTICE TO APPLICANT: You must serve a copy of this Application upon the Landlord. Failure to do so in a timely manner may delay consideration of your request.	

Defendant _____ submits this Application and Declaration for Stay of Eviction, as follows:

1. The Judgment was entered on _____.
2. This Application has not been filed more than 10 days past the notice of appeal period [40 days without the landlord's consent in a limited civil case, or up to 70 days in an unlimited case]. (CCP 918(b).)
3. The address of the property is: _____.
4. The Defendant has received notice that removal from the Property will occur on _____.
5. An Appeal has / has not been filed in this case.
6. The moving party will suffer extreme hardship in the absence of a stay and/or will be irreparably injured by removal from the property, as follows:

PLAINTIFF: DEFENDANT:	Case No.
--	-----------------

7. A copy of this Application has been mailed or delivered to Plaintiff or Plaintiff’s attorney. (Attach proof that service has been completed to this form). The Defendant understands that without a proof of service having been completed, the court’s determination of this Application may be delayed.

8. The Defendant identified herein declares under penalty of perjury pursuant to the laws of the State of California, that the facts set forth herein are true and correct. As to those matters expressly stated to be on information on belief, the Defendant believes those to be correctly and truthfully stated herein.

Dated:

_____ (signature)

_____ (print name)

NOTICE TO PROPERTY OWNER/LANDLORD: You are being served with a copy of this Application because the Defendant in this case has sought an order staying execution of a Judgment and Writ of Possession previously issued. If you wish to oppose the Application, you should immediately file and serve your written opposition with the court. If a hearing is set in regard to the Application, you will be mailed notice by the court. ***Please see Kings County Superior Court Local Rule 404 for more information about this process.***