



REQUIREMENTS FOR FILING A THIRD PARTY CLAIM

Contents of Claim as described in California Code of Civil Procedures Sections 720.130 and 720.230

Jeff Dirkse, Sheriff-Coroner

- You must submit the **original signed claim and two copies** of the claim to the Sheriff.

The claim must include:

- The title of the case, i.e., Jones vs. Smith
- The court case number
- The Sheriff's file number (not a requirement but it helps speed up processing your claim)
- The name and address of the person making the claim. The address must be within California.

If the **claim is for ownership**, you must include:

- The statement *"This claim is for ownership of property pursuant to CCP 720.110"*
- A description of the property claimed
- A description of the interest claimed, including a statement of the facts upon which the claim is based.
- An estimate of the market value of the interest claimed.
- A copy of any writing upon which the claim is based shall be attached to the third-party claim. At a hearing on the third-party claim, the court in its discretion may exclude from evidence any writing a copy of which was not attached to the third-party claim.

If the claim is for a **security interest or lien**, you must include:

- The statement *"This claim is for a security interest or lien pursuant to CCP 720.210"*
- A description of the personal property in which a security interest or lien is claimed.
- A detailed description of the security interest or lien claimed, including a statement of the facts upon which it is based.
- A statement of the total amount of sums due or to accrue under the security interest or lien and the applicable rate of interest on amounts due.
- A copy of the security agreement and any financing statement shall be attached to the third-party claim. In the case of a lien, a copy of any writing upon which the claim is based shall be attached to the third-party claim. At a hearing on the third-party claim, the court in its discretion may exclude from evidence any writing a copy of which was not attached to the third-party claim. CCP 720.230

-- see reverse side for additional information --

The third party claim shall be executed under oath. Here are three examples of oaths you may use in your third party claim. **Do not submit this sheet as part of your claim.**

- ① Notary must verify both the oath and the signature. An acknowledgment of the signature by the notary is not sufficient. The notary must verify both the oath and the signature.
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- OR - IT MAY BE SIGNED UNDER PENALTY OF PERJURY (CCP 2015.5)

- ② *I certify (or declare) under penalty of perjury that the foregoing is true and correct*

Date _____

Signature _____

- OR -

- ③ *I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*

Date _____

Signature _____

A third party claim must be submitted on plain paper.

DO NOT submit a third party claim on a Claim of Exemption form (Judicial Council Form EJ-160).

SHOULD YOU HAVE A QUESTION, CONTACT THE SHERIFF'S CIVIL OFFICE AT THE FOLLOWING

801 11th St, Suite 2200

P.O. Box 3288

Modesto, CA. 95353

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