INSTRUCTIONS FOR RESPONDING TO FORM INTERROGATORIES – UNLAWFUL DETAINER

TIME TO MAIL YOUR RESPONSE

Your response to the interrogatories must be in the mail ("postmarked") to the plaintiff, or to the plaintiff's attorney if there is one, not later than five days after you receive them if they are *personally* delivered to you. If they were *mailed* to you, you should look for the "Proof of Service by Mail" form that is attached to the last page of the interrogatories. That document will tell you when it was mailed to you. Your response must be mailed not later than ten days after the interrogatories were mailed to you. In counting the days, do not count the 1st day (the day that they were delivered or mailed to you), but count the last day. Also, weekend days and holidays *do* count. So, if the interrogatories were *personally* delivered on March 4, 2009, your response must be mailed no later than March 9, 2009. If the interrogatories were *mailed* to you on March 2, 2009, then your response must be mailed no later than March 12, 2009. However, if the *last* day to mail your response is a Saturday, Sunday or court holiday, your response must be mailed by the next *business* day. If, for example, the interrogatories were mailed to you on February 26, 2009, you would have until Monday, March 9, 2009 to mail your response, because the 10th day following February 26 is March 8, 2009, a Sunday. The next *business* day would be Monday, March 9, 2009.

PREPARING YOUR RESPONSE

Fill out the first page as shown in the sample. Put all your responses (answers) on the blank pages that are in this packet. Answer each interrogatory (question) that has an X or other mark in the box next to it. For example, if the box for question number 70.8 is marked, the response might look like this sample:

70.8
(a) Security deposit
(b) October 3, 2006
(c) $800.00
(d) Money order
(e) Thomas Tenant
(f) Larry Landlord
(g) Receipt for payment in possession of Thomas Tenant; 202 N. Rental Road, Stockton, CA 95201, (209) 555-0000
(h) none

NUMBER OF PAGES

You can put as many answers on each page as there is room for. You can use as many pages as you wish. You can photocopy more blank pages from this packet as needed. When you are finished, fill in and sign the last page, the one that says "Verification" at line 7. Then count *all* the pages, including the first and last pages. Put the total number of pages in the space at the bottom right of each page where it says "page ____ of ____ pages." If you have ten pages, for example, put "page ____ of 10 pages." The first page will then say, "page1 of 10 pages." The next page will say "page

2 of 10 pages," and the next will say "page 3 of 10 pages," and so on. The last page (in our example of 10 pages) will say "page 10 of 10 pages."

PROOF OF SERVICE

Then complete the Proof of Service by Mail form that is a separate packet that we have given you. Have someone else sign it. This person must be eighteen years or older and *not* a party in this case. You *cannot* sign the Proof of Service by Mail form.

Then make a photocopy of your response and a photocopy of your Proof of Service by Mail form. Attach a copy of the Proof of Service by Mail form to the original response and mail it in an envelope addressed to the plaintiff or, if the plaintiff has an attorney, to the plaintiff's attorney. The person who signed the Proof of Service by Mail form must mail the envelope. Attach the copy of your response to the original Proof of Service by Mail form and keep it.

Your Name
Your Address
Your Phone No.
In Pro Per Defendant

SAMPLE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN

(Copy from your other court papers.) BRANCH

(COPY FROM YOUR OTHER COURT PAPERS)

Plaintiff,

vs.

(COPY FROM YOUR OTHER COURT PAPERS)

Defendant.

Case Number: (COPY FROM YOUR OTHER COURT PAPERS)

RESPONSE TO PLAINTIFF'S FORM INTERROGATORIES - UNLAWFUL DETAINER TO DEFENDANT

Responding Party: Defendant, (YOUR NAME)

Propounding Party: Plaintiff, (NAME OF PLAINTIFF)

Set Number: (ONE)

Defendant, (YOUR NAME), responds to the interrogatories served on him/her by (PLAINTIFF'S NAME), Plaintiff, as follows:

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Put total number of pages here.

SAMPLE

Put total number of pages here.

SAMPLE

Put whatever page number goes here: 3, 4, 5, etc.

Put total number of pages here.

Date: (Put date here) _____ (Sign your name) _____

(Print your name) _____, Defendant

VERIFICATION

I, (PRINT YOUR NAME), am the Defendant in the aforementioned action. I have read the foregoing Response to Plaintiff's Form Interrogatories – Unlawful Detainer to Defendant and know the contents thereof. The same is true of my own knowledge, except as to those matters that are therein stated on information and belief, and concerning those matters, I believe it to be true.

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

Date: (Put date here) _____ (Sign your name) _____

(Print your name) _____, Defendant

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Put total number of pages here.

Put total number of pages here.

FILLING OUT THE PROOF OF SERVICE BY MAIL OF RESPONSE TO FORM INTERROGATORIES – UNLAWFUL DETAINER

After you have filled out the Response to Form Interrogatories – Unlawful Detainer, you must send it to the plaintiff's attorney (or to the plaintiff if he/she doesn't have an attorney). Ask someone who is not a party to the lawsuit (that is, not a plaintiff or defendant) and who is 18 or older to fill out and sign the Proof of Service by Mail form. (See the sample below.)

Make a copy of your Response to Form Interrogatories – Unlawful Detainer and a copy of the Proof of Service form. Attach the copy of the Proof of Service form to the original Response. Attach the original Proof of Service form to the copy of the Response.

The person who filled out and signed the Proof of Service form must mail the original Response with the copy of the Proof of Service form to the plaintiff's attorney (or to the plaintiff if he/she doesn't have an attorney). Keep the copy of the Response with the original Proof of Service form.

PROOF OF SERVICE BY MAIL

1. I am over the age of 18 years and not a party to this lawsuit. I am a resident or employed in the county where the mailing occurred. My residence or business address is

(Put your address here)

_____

Street address City State Zip

2. I mailed the original Response to Form Interrogatories – Unlawful Detainer

by placing it in a sealed envelope with the postage fully prepaid and depositing the envelope in the United States mail in the following manner:

a. Date of mailing: (Put the date you are mailing the envelope)

b. City and state where mailed: (City and state from where the envelope was mailed)

c. The envelope was addressed as follows: (Write the name and address of the plaintiff's attorney. If there is no attorney, then write the name and address of the plaintiff.)

3. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on (date you sign), at (city where you signed), CA.

(Print your name) _____ (Sign your name) _____

Type or Print your name Sign your name

In Pro Per Defendant

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN

_____ BRANCH

Plaintiff, vs. Defendant.	Case Number: **RESPONSE TO PLAINTIFF'S FORM INTERROGATORIES - UNLAWFUL DETAINER TO DEFENDANT**

Responding Party: Defendant, _____

Propounding Party: Plaintiff, _____

Set Number: _____

Defendant, _____, responds to the interrogatories served on him/her by _____, Plaintiff, as follows:

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Date: _____

_____, Defendant

VERIFICATION

I, _____, am the Defendant in the aforementioned action. I have read the foregoing Response to Plaintiff's Form Interrogatories – Unlawful Detainer to Defendant and know the contents thereof. The same is true of my own knowledge, except as to those matters that are therein stated on information and belief, and concerning those matters, I believe it to be true.

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

Date: _____

_____, Defendant

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PROOF OF SERVICE BY MAIL

1. I am over the age of 18 years and not a party to this lawsuit. I am a resident or employed in the county where the mailing occurred. My residence or business address is

_____

Street address City State Zip

2. I mailed the original Response to Form Interrogatories – Unlawful Detainer

by placing it in a sealed envelope with the postage fully prepaid and depositing the envelope in the United States mail in the following manner:

a. Date of mailing:

b. City and state where mailed:

c. The envelope was addressed as follows: (Fill in the name and full address shown on the envelope.)

3. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on _____, at _____, CA.

_____ _____

Type or Print your name Sign your name