



## Yurok Tribal Court

<b>Yurok Tribal Court</b> PO Box 1027 / 230 Klamath Blvd. Klamath, CA 95548 (707) 482-1350 phone (707) 482-0105 fax	Case Number: _____ Case Type: <u>Civil - Unlawful Detainer</u>
_____ Petitioner  v.  _____  _____ Respondent(s)	<b>Motion for Writ of Possession UNLAWFUL DETAINER</b> <input type="checkbox"/> After Hearing <input type="checkbox"/> Ex Parte <input type="checkbox"/> Party has filed a separate Civil TRO

1. Petitioner has filed a complaint and makes a claim for delivery of property in the possession of the Respondent(s) named in b.
  - a. Petitioner (*name*):
  - b. Respondent(s) (*name each*):
2. Petitioner applies for (*check all that apply*):
  - a. ☐ Writ of Possession after Hearing
  - b. ☐ Ex parte Writ of Possession
  - c. ☐ Temporary restraining order (*file Request for Restraining Order, form CH-100*)
3. The basis of the Petitioner's claim and right to possession of the claimed property is specified in ☐ a written document, a copy of which is attached. ☐ the verified complaint ☐ the attached declaration. ☐ the following facts (*specify*):

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4. Claimed property (*Describe, state value, and any other relevant information*):

☐ Continued on Attachment 4

5. A showing that the claimed property is wrongfully detained by the Respondent, of how the Respondent came into possession of the claimed property, and, according to Petitioner's best knowledge, information, and belief, of the reason for the Respondent's detention of the claimed property, is made ☐ in the verified complaint ☐ the attached declaration.  
☐ as follows (*specify*):

6. To Petitioner's best knowledge, information, and belief the claimed property or some part of it is located as stated ☐ in the verified complaint ☐ in the attached declaration. ☐ as follows (*specify*): (*include in this statement whether any part of the claimed property is within a private place that may have to be entered to take possession. If so, complete part 7.*)

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7. ☐ Facts showing probable cause for belief that the claimed property or some part of it is located in the private place referred to in part 6 are specified ☐ in the verified complaint ☐ in the attached declaration. ☐ as follows (*specify*):

8. The claimed property has not been taken for a tax, assessment, or fine, pursuant to statute, and (*check one*):
- ☐ has not been seized under an execution against the Petitioner's property.
  - ☐ has been seized under an execution against the Petitioner's property but is exempt from such seizure because (i.e., will or probate):

9. Total number of pages attached (*specify*): \_\_\_\_\_

**Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

☐ **To file this Request, you must attach a completed Writ of Possession Form.**

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**NOTICE TO PERSON SERVED**

**WRIT OF POSSESSION OF REAL PROPERTY.** If the premises are not vacated within five business days (the Yurok Tribal Judge may lengthen or shorten this period for good cause) 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.

**PERSONAL PROPERTY REMAINING ON THE PREMISES** at the time possession is restored to the Petitioner may be claimed or disposed of in accordance with a Tribal abandoned property ordinance, or, in the absence of such an ordinance, California Civil Code §§ 1951.3 and 1981 through 1991. Mobile homes and its contents shall be considered personal property and may be disposed of as in the case of any other personal property remaining on the premises, after possession of the real property has been restored to the Petitioner in accordance with a Tribal abandoned property ordinance, or, in the absence of such an ordinance, California Civil Code §§ 1951.3 and 1981 through 1991. A Writ of Possession means the Respondent must leave the premises by a certain time period or law enforcement will be authorized to forcibly remove the Respondent.