

# **UNLAWFUL DETAINER EX PARTE APPLICATION FOR STAY OF EXECUTION AND FOR ADDITIONAL TIME TO RELOCATE**



## **HOW TO GUIDE**

### **Self-Help Legal Access Centers**

#### **Santa Monica**

1725 Main St.,  
Room 210  
Santa Monica, CA 90401

#### **Inglewood**

1 East Regent St.,  
Room 107  
Inglewood, CA 90301

#### **Torrance**

825 Maple Ave.,  
Room 160  
Torrance, CA 90503

#### **Long Beach**

275 Magnolia Ave.,  
Room 3101  
Long Beach, CA 90802

**JULY 2025**

This guide is designed to help you fill out the forms yourself. It is not intended to provide legal advice nor strategy as to how to complete the case. The information provided in this packet only presents options and examples. This is not a substitute for professional legal from an attorney.

Please type or print in black ink.

## UNLAWFUL DETAINER EX PARTE APPLICATION - SCHEDULES AND LOCATIONS

| <u>Courthouse</u>                                  | <u>Filing Information</u>   | <u>Hearing/Courtroom Information</u>  |
|--|---|---|
| Antelope Valley<br>(Lancaster)                     | <ul style="list-style-type: none"> <li>File Ex Parte before 9:00 am on the day of the hearing</li> <li>File in Clerk's Office, Room 1000, 1<sup>st</sup> Floor</li> </ul>                         | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. A22, Room 4001, 4<sup>th</sup> Floor at 8:30 a.m.</li> <li>Address: 42011 4<sup>th</sup> Street West, Lancaster, CA 93534</li> </ul> |
| Chatsworth   | <ul style="list-style-type: none"> <li>File Ex Parte between 8:15- 8:30 am on the day of the hearing</li> <li>File in Clerk's Office, Room 1200, 1<sup>st</sup> Floor</li> </ul>                  | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. F44, Room 1800, 1<sup>st</sup> Floor at 8:30 am.</li> <li>Address: 9425 Penfield Ave., Chatsworth 91311</li> </ul>                   |
| Compton  | <ul style="list-style-type: none"> <li>File Ex Parte between 8:30 - 9:00 am the day of the hearing</li> <li>File in Clerk's Office, Room 902, 9<sup>th</sup> Floor</li> </ul>                     | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. B at 8:30 am</li> <li>Address: 200 W. Compton Blvd., Compton, CA 90220</li> </ul>  |
| Inglewood  | <ul style="list-style-type: none"> <li>File Ex Parte before 11:00 am of the day of the hearing</li> <li>File in Clerk's Office, Room 630, 6<sup>th</sup> Floor</li> </ul>                         | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. 8 at 1:30pm</li> <li>Address: One Regent Street, Inglewood, CA 90301</li> </ul>  |
| Long Beach   | <ul style="list-style-type: none"> <li>File Ex Parte before 8:30 am of the day of the hearing</li> <li>File in Clerk's Office, Room 1401, 1<sup>st</sup> floor</li> </ul>                         | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. S13, Room 3500, 3<sup>rd</sup> Floor at 8:30 am</li> <li>Address: 275 Magnolia Avenue, Long Beach, CA 90802</li> </ul>               |
| Norwalk  | <ul style="list-style-type: none"> <li>File Ex Parte before 8:30 am on the day of the hearing ("Be in line by 8:30 am")</li> <li>File in Clerk's Office Room 101, 1<sup>st</sup> floor</li> </ul> | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. W, Room 603, 6<sup>th</sup> Floor at 8:30 am</li> <li>Address: 12720 Norwalk Boulevard, Norwalk, CA 90650</li> </ul>                 |
| Pasadena   | <ul style="list-style-type: none"> <li>Ex Parte before 11:00 am on the day of the hearing</li> <li>File in the Clerk's Office Room 102, 1<sup>st</sup> Floor</li> </ul>                           | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. R on the 2<sup>nd</sup> Floor at 1:30 pm</li> <li>Address: 300 E. Walnut Avenue, Pasadena, CA 91101</li> </ul>                       |
| Santa Monica                                       | <ul style="list-style-type: none"> <li>File Ex Parte between 8:15 am the day of the hearing</li> <li>File in the Clerk's Office, Room 102, 1<sup>st</sup> Floor</li> </ul>                        | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. S, Room 218, 2<sup>nd</sup> Floor at 8:30 am</li> <li>Address: 1725 Main Street, Santa Monica, CA 90401</li> </ul>                   |
| Stanley Mosk<br>(Downtown)<br>(Central Courthouse) | <ul style="list-style-type: none"> <li>File Ex Parte before 8:30 am on the day of the hearing</li> <li>File in Room 102, 1<sup>st</sup> Floor</li> </ul>  | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in your assigned court room at 1:30 pm</li> <li>Address: 111 N. Hill St./110 N. Grand Avenue</li> <li>Los Angeles, CA 90012.</li> </ul>       |
| Van Nuys<br>(East)                                 | <ul style="list-style-type: none"> <li>File Ex Parte before 11:00 am on the day of the hearing</li> <li>File in Clerk's Office, Room 107, 1<sup>st</sup> Floor.</li> </ul>                        | <ul style="list-style-type: none"> <li>Ex Parte hearings are held in Dept. H, Room 630 6<sup>th</sup> Floor at 1:30 PM</li> <li>Address: 6230 Sylmar Avenue, Van Nuys, CA 91401</li> </ul>                      |
| West Covina  | <ul style="list-style-type: none"> <li>File by 8:30 am on the day of the hearing.</li> <li>File in Clerk's Office, Room 107, 1<sup>st</sup> Floor</li> </ul>                                      | <ul style="list-style-type: none"> <li>Ex Parte are held in Dept. 2, 1<sup>st</sup> Floor at 11:00am</li> <li>Address: 1427 West. Covina Parkway, West Covina, Ca. 91790</li> </ul>                             |

The Ex Parte Application and Motion are filed the morning of your Ex Parte Hearing. **You must file with the clerk by the time listed & be on time to the courtroom for your emergency hearing. Each courthouse in the county has different rules for Ex Parte filings/hearings.**

## Ex-Parte Notice in an Unlawful Detainer Case

Important: You must give prior Ex Parte (or Emergency) notice of going to court to the landlord's attorney (or the landlord if the landlord does not have an attorney) **by 10:00 a.m. the day before you go court.** If you get transferred to voicemail, you must leave the below on the message.

EX PARTE NOTICE AND TELEPHONE PHONE NUMBER \_\_\_\_\_

### Script/What to Say:

"Hello, my name is: \_\_\_\_\_ (Your Name)

I am calling to give "Ex Parte" notice that on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ am / pm

I am going into Department \_\_\_\_\_ of the Courthouse located at (street address, city, state, zip code)

\_\_\_\_\_ to file an (Pick One)

☐ ~~EX PARTE APPLICATION FOR A STAY PENDING A HEARING ON A MOTION TO SET ASIDE THE JUDGMENT AND FOR AN ORDER SHORTENING TIME FOR SERVICE OF THE MOTION TO SET ASIDE IN THE CASE OF~~

☒ EX PARTE APPLICATION FOR ORDER STAYING EXECUTION OF THE JUDGMENT AND GRANTING ADDITIONAL TIME TO RELOCATE IN THE CASE OF

(name of plaintiff) \_\_\_\_\_ versus

(name of defendant) \_\_\_\_\_,

Case Number \_\_\_\_\_.

I can be reached at phone number \_\_\_\_\_."

### Please get the following important information:

1. Date and time you called to give notice: \_\_\_\_\_
2. Name and title of the person you spoke with: \_\_\_\_\_
3. Ask if the Plaintiff or Plaintiff's attorney will appear in court on this matter? \_\_\_\_\_
4. Anything else the person told you or did: \_\_\_\_\_

**IMPORTANT Filing Instructions: You must have all the documents filed by the time stated above in the "Filing Information" column.** You must be on time to your hearing and provide the landlord (or the attorney for the landlord) a copy of the documents. **If you are late for filing or the hearing, the court MAY NOT hear your motion.**

## EX PARTE APPLICATION FOR ADDITIONAL TIME TO RELOCATE

This motion asks the court to give a Tenant additional time in the unit after either a Judgment and/or Sheriff Lock Out has been entered/served. This request for additional time is based on a hardship on the Tenant or the tenant's family that needs to be considered in granting/giving extra time. Clearly, it is very difficult for anyone to find a new place & move out. This motion is usually based upon an extra ordinary hardship.

You are not contesting/reversing the Judgment by filing this motion. In fact, you are admitting the unlawful detainer judgment, but asking for mercy for a severe hardship to you or your family. This is not reopening the case, a new trial or an appeal. You are simply asking for more time because of an extreme hardship. If you have already been locked out, then it is usually too late to file this motion as possession is no longer an issue.

### WHAT YOU NEED TO COMPLETE THE FORMS

- ☐ THE SUMMONS AND COMPLAINT WITH THE ATTACHED NOTICES/EXHIBITS
- ☐ THE JUDGMENT AND/OR FIVE (5) DAY SHERIFF LOCK OUT/VACATE NOTICE, IF ANY
- ☐ CIVIL CASE SUMMARY FROM THE COURT FOR YOUR CASE
- ☐ YOU MUST BE LIVING/STAYING IN THE UNIT (POSSESSION IS STILL AN ISSUE)

### WHAT YOU NEED TO DO TO HAVE A HEARING AND GET ADDITIONAL TIME

- ☐ Pick a good date that you can make/attend your hearing. The above list shows the courthouses that hear unlawful detainer/eviction cases. Each courthouse has different times for filing this paper work and when the ex parte hearings are heard. Find your courthouse where your case was filed/started and see when the hearing/filing times are. **You must go to the court where your case was filed/started.**
- ☐ The Ex Parte (Emergency) Notice to the other side for the day that you want to go to court. The above script explains what you may need to say. This Notice is a telephone call to the landlord's attorney or directly to the landlord, if not represented by an attorney. Traditionally, this call should be made by 10 AM the COURT DAY before your hearing date. The phone number of the other side is on the front page of the Summons/Complaint of the unlawful detainer lawsuit.
- ☐ Complete the Motion for Additional Time to Relocate Forms Packet. Use these instructions as a guide. In the forms, a declaration must be made that you gave the proper notice (see script) **AND ALSO EXPLAIN WHAT THE HARDSHIP THAT YOU OR YOUR FAMILY IS FACING THAT SHOULD GIVE YOU ADDITIONAL TIME TO MOVE OUT.** Some examples are serious illness, a disability of yourself or household members, accidents, hospitalization etc.
- ☐ File your paper work by the filing cut off time for ex parte hearings in your courthouse.
- ☐ Consider bringing any proof or documents that show your claim of hardship
- ☐ Be at the courtroom on time and give the other side a copy of the ex parte paper work
- ☐ Be in the courtroom when you are called by the Judge and be ready to explain your hardship.
- ☐ You must convince the court that this time should be given to you. The other side will most likely object or argue that you should not be given any additional time.
- ☐ **IF YOUR MOTION IS GRANTED, DO NOT TO LEAVE THE COURTROOM WITHOUT AN ORDER CANCELING THE LOCK OUT.** In many cases, the Sheriff is already on their way to perform the lock out. The Court may not be able to notify the Sheriff in time to cancel the lock out. If you do not have proof that the lock was cancelled, the sheriff may lock you out anyway. Therefore, it is important to have proof from the court that the lock out is cancelled/stayed for now.

**PRINT YOUR NAME**

**PRINT YOUR STREET ADDRESS**

**PRINT THE CITY, STATE & ZIP CODE**

**PRINT YOUR TELEPHONE NUMBER**

Defendant(s) in Pro Per

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

**PRINT THE PLAINTIFF'S NAME**

vs. Plaintiff(s),

**PRINT THE DEFENDANT'S NAME**

Defendant(s).

)  
) Case No.: **PRINT THE CASE NUMBER**

)  
) **EX PARTE APPLICATION FOR ORDER**  
) **STAYING EXECUTION OF THE**  
) **JUDGMENT AND GRANTING**  
) **ADDITIONAL TIME TO RELOCATE;**  
) **MEMORANDUM OF POINTS AND**  
) **AUTHORITIES AND DECLARATION IN**  
) **SUPPORT THEREOF**

)  
) **ASSIGNED JUDGE:** \_\_\_\_\_  
) **DEPARTMENT:** **PRINT THE DEPT NUMBER**  
) **HEARING DATE:** **THE DATE OF THE HEARING**  
) **TIME:** **TIME OF THE HEARING**

**TO PLAINTIFF AND PLAINTIFF'S ATTORNEY, IF ANY:**

Defendant(s), **PRINT YOUR NAME**, requests an Order Staying Execution of the Judgment and Granting Additional Time to Relocate. The application is made on the ground that unless a stay is granted, Defendant(s) will suffer irreparable harm.

This application is based upon the declaration and memorandum of points and authorities attached hereto, and any oral argument.

Date: **PRINT TODAY'S DATE**

Signed by: **SIGN YOUR NAME**  
Defendant(s) without Attorney  
**PRINT YOUR NAME**  
Print Name

## **MEMORANDUM OF POINTS AND AUTHORITIES**

A court of general jurisdiction has a statutory as well as an inherent duty and power to control its own processes and orders so as to make them conform to justice, including the granting a stay of execution. Code of Civil Procedure Section 128 states: “(a) Every court shall have power:....(8) To amend and control its process and order so as to make them conform to law and justice. CAL.CIV.PROC.CODE § 128(a) (Deering 2009). This was confirmed in *Revolution Eyewear, Inc. v. Aspex Eyewear, Inc.* (2009) 2009 U.S. Dist. LEXIS 64749. The court there stated that “The district court has the inherent power to control and manage its docket, which includes the authority to order a stay pending the outcome of reexamination proceedings.” *Id.* at 9.

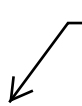
Here, the court has authority to grant a short stay to prevent an injustice in that the execution of the judgment by the sheriff will leave Defendant(s) homeless. Therefore, the stay should be granted.


Date: **PRINT TODAY'S DATE**

Signed by: **YOUR SIGNATURE**  
Defendant(s) without Attorney  
**PRINT YOUR NAME**  
Print Name

**DECLARATION OF DEFENDANT(S) IN SUPPORT OF EX PARTE APPLICATION FOR STAY  
OF EXECUTION OF THE JUDGMENT**

I,           **PRINT YOUR NAME**          , state and declare as follows:

1. I am the Defendant(s) in this action.
2. The statements in this declaration are true and if called as a witness in Court, I could and would testify truthfully to them.
3. A Judgment against me was ordered by the Court on: \_\_\_\_\_ 

**PRINT THE DATE THE  
JUDGMENT WAS ENTERED  
AGAINST YOU**
4. The Sheriff is scheduled to evict me on: \_\_\_\_\_ 

**PRINT THE DATE OF THE LOCK OUT  
NOTICE, IF ANY.**
5. I am requesting that the court grant this application for a stay because I will suffer irreparable harm without it. My hardship is: \_\_\_\_\_

|       |   |       |
|-------|---|-------|
|       | <b>EXPLAIN YOUR HARDSHIP HERE TO THE COURT.<br/>FOR EXAMPLE: I HAVE A DISABILITY, MY CHILD IS<br/>DISABLED, I AM VERY SICK, MY FAMILY MEMBER HAS<br/>A LIFE THREATENING ILLNESS, I WAS HOSPITALIZED,<br/>I WAS IN AN ACCIDENT, ETC.</b> |       |
| _____ |   | _____ |
| _____ |   | _____ |
| _____ |   | _____ |
| _____ |   | _____ |

I declare under penalty of perjury under the laws of California that the foregoing is true and correct to the best of my knowledge: Executed at           **CITY WHERE SIGNED**          , California on

          **PRINT TODAY'S DATE**          

**SIGN YOUR NAME**  
\_\_\_\_\_  
Defendant(s), Declarant  
**PRINT YOUR NAME**  
\_\_\_\_\_  
Print Name

**PRINT YOUR NAME**

**PRINT YOUR STREET ADDRESS**

**PRINT THE CITY, STATE, AND ZIP CODE**

**PRINT YOUR TELEPHONE NUMBER**

Defendant(s) in Pro Per

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

**PRINT THE PLAINTIFF'S NAME**

) **Case No.: PRINT THE CASE NUMBER**

vs. Plaintiff(s),

) **DECLARATION OF NOTICE FOR  
EX PARTE APPLICATION FOR ORDER  
STAYING EXECUTION OF THE  
JUDGMENT AND GRANTING  
ADDITIONAL TIME TO RELOCATE**

**PRINT THE DEFENDANT'S NAME**

Defendant(s).

) **ASSIGNED JUDGE:**  
) **DEPARTMENT: PRINT THE DEPT**  
) **HEARING DATE: PRINT THE HEARING DATE**  
) **TIME: PRINT THE TIME**

**PRINT THE NAME OF THE PERSON**

I, **GIVING NOTICE**, declare that I provided the following notice of the Court hearing:

“My name is: **PRINT THE NAME OF THE PERSON GIVING NOTICE**

I am calling to give notice that I am going to the **PRINT THE COURTHOUSE NAME** Court on

**PRINT YOUR HEARING DATE** at **TIME** a.m./p.m. in Dept. #: **DEPT #** in the Los Angeles Superior

Court, located at **PRINT THE ADDRESS OF THE COURT** for an Ex Parte Application for an Order Staying

Execution of the Judgment and Granting Additional Time to Relocate in the Case of

**PRINT THE PLAINTIFF'S NAME** vs. **PRINT THE DEFENDANT'S NAME**

Case #: **PRINT THE CASE NUMBER**

I can be reached at this phone #: **PRINT YOUR TELEPHONE #**.”





**PRINT YOUR NAME HERE**

**PRINT YOUR STREET ADDRESS**

**PRINT THE CITY, STATE AND ZIP CODE**

**PRINT YOUR TELEPHONE NUMBER**

Defendant(s) in Pro Per

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

**PRINT THE PLAINTIFF'S NAME**

vs. Plaintiff(s),

**PRINT THE DEFENDANT'S NAME**

Defendant(s).

)  
) Case No.: **PRINT THE CASE NUMBER**  
)  
) **(PROPOSED) ORDER ON EX PARTE**  
) **APPLICATION FOR ORDER STAYING**  
) **EXECUTION OF THE JUDGMENT AND**  
) **GRANTING ADDITIONAL TIME TO**  
) **RELOCATE**  
)  
) **ASSIGNED JUDGE: \_\_\_\_\_**  
) **DEPARTMENT: PRINT WHAT DEPT NUMBER**  
) **HEARING DATE: PRINT THE HEARING DATE**  
) **TIME: PRINT THE TIME OF THE HEARING**  
)  
)  
)

After consideration of Defendant(s)'s Ex Parte Application, all other pleadings and papers, any oral argument in this case, and the Court's review of the record, the Court hereby

☐ Defendant(s) is/are granted

Additional Time to Relocate

\_\_\_\_\_ / \_\_\_\_\_

☐ Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

It is so Ordered.

Date: \_\_\_\_\_

\_\_\_\_\_  
**JUDGE OF THE SUPERIOR COURT**

Granting  
following date:

**THIS IS FOR THE COURT  
TO FILL OUT**