

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i> TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PETITION FOR <input type="checkbox"/> Order Striking and Releasing Lien or Other Encumbrance on Property of Public Officer or Employee <input type="checkbox"/> Ex Parte Order to Show Cause Why Lien or Encumbrance Should Not Be Stricken and Released	CASE NUMBER:
NOTICE: This form applies only to petitions by public officers and employees under Code of Civil Procedure sections 765.010–765.060 that involve lawsuits, liens, and encumbrances pertaining to actions that arise in the course and scope of the officer's or employee's duties.	

1. Petitioner *(name)*: _____ requests the following:
 - a. Order striking and releasing lien or encumbrance.
 - b. Ex parte order to show cause why the lien or other encumbrance should not be stricken and released.
2. Respondent *(name)*: _____
3. Petitioner is a public officer or employee *(specify position)*: _____
4. There is is not a related case. *(If there is, provide case name, case number, and counsel):* _____

5. Petitioner has an interest in property on which a lien or encumbrance has been filed or recorded. The property is *(describe)*: _____

6. Respondent has filed or recorded a lien or other encumbrance against petitioner's property or has directed another to record or file a lien or other encumbrance against the property. The lien or encumbrance is *(describe)*: _____

7. Petitioner is entitled to relief because respondent filed a lawsuit or lien or other encumbrance against petitioner, knowing it is false, with the intent to harass petitioner or to hinder petitioner in discharging his or her official duties, or respondent directed another to record or file a lawsuit, lien, or other encumbrance against petitioner, knowing it is false, with the intent to harass petitioner or to influence petitioner in discharging his or her official duties. A declaration of petitioner or petitioner's attorney setting forth a concise statement of the facts upon which this petition is based is on page two of this form attached *(see Attachment 7)*.
8. The lien or encumbrance that this petition seeks to have stricken and released does not involve a document that acts as a claim or encumbrance by a financial institution, as defined in Penal Code section 14161, subdivision (a) or Code of Civil Procedure section 481.113, or by a public entity as defined in Code of Civil Procedure section 481.200.
9. Petitioner requests relief as follows:
 - a. Order to show cause why the lien or other encumbrance described in item 6 should not be stricken and released.
 - b. Order striking and releasing the lien or other encumbrance described in item 6.
 - c. Award of civil penalties against respondent under Code of Civil Procedure section 765.040 and Government Code section 6223, subdivision (c)
 of: \$ _____ according to proof.

(Continued on reverse)

PETITIONER: RESPONDENT:	CASE NUMBER:
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9. d. Award of attorney's fees and costs under Code of Civil Procedure section 765.030
 of: \$ according to proof.
- e. Other relief (*specify*):

Date:

(TYPE OR PRINT NAME OF PETITIONER)

 (SIGNATURE OF PETITIONER OR PETITIONER'S ATTORNEY)

By:

(NAME AND TITLE)

DECLARATION IN SUPPORT OF PETITION
 (Code Civ. Proc., §§ 765.010, 2015.5)

1. I, the undersigned, declare that I am the petitioner other (*specify*):
 in the above-entitled proceeding.
2. The facts upon which this petition is based are as follows:

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

Date:

(TYPE OR PRINT NAME)

 (SIGNATURE)