

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>   TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:	
<b>NOTICE OF PETITION AND PETITION FOR RELIEF FROM FINANCIAL OBLIGATION DURING MILITARY SERVICE</b>	CASE NUMBER:

*No filing fee or court costs are to be charged for this petition; (Mil. & Vet. Code, § 409.14.)  
 The petition must be served in the manner of a summons at least 10 days before the hearing set below.*

1. TO *(name):*
2. A hearing on this petition will be held as follows *(clerk to complete; hearing to be set within 25 days of filing):*

a. Date: _____ Time: _____ <input type="checkbox"/> Dept.: _____ <input type="checkbox"/> Room: _____
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b. Address of court is  same as noted above  other *(specify):*

**NOTICE TO RESPONDENT**

Any response you wish to make to this petition to stay financial obligation must be filed with the court and served on the petitioner no later than **five** days before the date of the hearing in item 2. See Military and Veterans Code section 409.3(b).

3. Petitioner is or was an officer or enlisted member of the National Guard or a reservist of the United States military reserves and *(check one):*
  - a.  has been called or ordered into full-time active duty service in the state or federal armed services or reserves. (Mil. & Vet. Code, § 400.)
  - b.  is currently in full-time active duty service in the state or federal armed services or reserves. (Mil. & Vet. Code, § 400.)
  - c.  is within six months of having completed full-time active duty in the state or federal armed services. (Mil. & Vet. Code, § 400, 409.3(a).)
4. Petitioner has a financial obligation or liability to respondent that is
  - a.  an obligation to purchase real property payable in installment payments or secured by a mortgage or instrument like a mortgage, incurred before the effective date of the orders for petitioner's most current active military service.
  - b.  a financial obligation or liability incurred before the effective date of the orders for petitioner's most current active military service.
  - c.  a tax or assessment due before or during petitioner's most current active military service.
5. Petitioner is not seeking to stay or defer an obligation to pay child support. *(Any request to modify a support order must be made on Notice of Activation of Military Service and Deployment and Request to Modify a Support Order (form FL-398).)*
6. Petitioner's ability to pay the financial obligation or liability to respondent has been materially affected by reason of petitioner's most current period of military service.
7. Petitioner's statements above are established by facts set forth in the *Declaration in Support of Petition for Relief From Financial Obligations During Military Service* (form MIL-015) filed with this petition.

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	

8. a. Petitioner requests a stay of the enforcement of the financial obligation during petitioner's military service.
- b.  Petitioner also requests the following relief:
- (1)  For an obligation secured by real property: extension of the time to pay the obligation to a period equal to the total time remaining on the obligation plus a period of time equal to the period of active military service.
- (2)  For obligation other than those involving installment payments for real property, an additional period of time to pay the obligation equal to the period of time in which petitioner is on active military service, during which petitioner is to pay the obligation and any accumulated interest due in equal periodical installments.
- (3)  For other relief (*describe relief requested*):

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)



#### **Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)