

# Do you need to Finish Your Eviction because the tenant(s) didn't file an Answer?

(Default Judgment for **Monetary** Damages)

<b>Step 1</b>	<b>Complete the following forms</b> in blue or black ink: <ul style="list-style-type: none"><li>• Request for Entry of Default (CIV-100)</li><li>• Declaration for Default Judgment By Court (UD-116)</li><li>• Judgment—Unlawful Detainer (UD-110)</li><li>• Writ of Execution (EJ-130)</li></ul>
<b>Step 2</b>	<b>Copies:</b> Make <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 copies in addition to the original.
<b>Step 3</b>	<b>Service:</b> <ul style="list-style-type: none"><li>• You must serve an <b>unfiled</b> copy of the Request for Entry of Default (CIV-100) on the other party in your case or their attorney if they have one.</li></ul> <p><i>“Service” means that someone, NOT YOU, who is <b>at least 18 years old</b> must <b>mail</b> a copy of your forms to the other party in the case. You can ask a friend, relative, etc. to serve (mail) the papers for you or you can look in the yellow pages and hire a “process server” to mail the papers for you for a fee.</i></p> <ul style="list-style-type: none"><li>• <b>After the forms are mailed</b>, have the server (person who mailed the forms) sign item number “6” on the back side of the <b>Request for Entry of Default</b> form.</li></ul>
<b>Step 4</b>  <i>There is no fee</i>	<b>File:</b> Turn in the original and copies of all the forms listed in Step 1 to the Clerk's Office located at: <input type="checkbox"/> 191 North First Street San Jose, CA 95113 <input type="checkbox"/> 301 Diana Avenue Morgan Hill, CA 95037 <i>Monday-Friday from 8:30am to 4:00pm.</i> <ul style="list-style-type: none"><li>• The clerk will file stamp the originals and copies and return the copies to you <i>except</i> the <b>clerk will not file stamp the Judgment form</b>. The clerk will keep it to give to the Judge for review and his/her signature.</li><li>• Also, give the clerk a <b>self-addressed, stamped envelope</b> so that the court can mail you back a copy of the Judgment.</li></ul>

Self-Help Center/Family Law Facilitator's Office  
Superior Court, County of Santa Clara  
99 Notre Dame Avenue, San Jose, CA 95113  
(408) 882-2926

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Superior Court, County of Santa Clara

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