

Request

This form is used to ask the court to correct or cancel a small claims judgment. You must file this form no later than 30 days after the clerk mailed Form SC-130, *Notice of Entry of Judgment*. Filing this form does **not** extend the deadline to file an appeal.

If you are the person asking the court to correct or cancel a judgment, fill out ①–⑤ on this page, then file it at the clerk's office. The clerk will mail a copy of the form to all other plaintiffs and defendants in your case. The court will give the other plaintiffs and defendants at least 10 days to answer this *Request*. The court will mail its decision to you or tell you to go to a court hearing. If you did not go to the trial, you must use Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*.

If you receive this form, read below, then fill out ⑥ through ⑨ on page 2. The court will mail its decision to you or tell you to go to a court hearing.

① **The person asking the court to correct or cancel a judgment is:**

Name: Mary Hopkins

Address: 757 White Oak Avenue, Los Angeles, CA 90017

Check one: ☐ A defendant in this case
☒ A plaintiff in this case

② **Notice to:**

(List names and addresses of all other defendants and plaintiffs in your case.)

Name	Address
a. <u>Bryan Smith</u>	<u>878 Vanowen Street, Studio City, CA 91604</u>
b. <u>Susan Jones</u>	<u>123 Bird Lane, Los Angeles, CA 90018</u>
c. _____	_____
d. _____	_____

☐ Check here if you need more space. Use Form MC-031 or a plain sheet of paper. Write "SC-108, Item 2" on top.

③ **I ask the court to (check one):**

a. ☒ Correct the following clerical error in the judgment.

List the error: Brian Smith

Change to: Bryan Smith

Explain why this correction is needed: Incorrect spelling of the defendant's name was listed on the judgment and I will be unable to collect the judgment if the name is not amended.

b. ☐ Cancel the judgment because the court applied the wrong law to this case. (Explain):

☐ Check here if you need more space. Use Form MC-031 or a plain sheet of paper. Write "SC-108, Item 3" on top.

④ In making its order, I ask the court to consider the information on this form, any records on file, and, if the court holds a hearing, the evidence presented at that hearing.

⑤ I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.

Date: 04/16/2019

Mary Hopkins

Type or print your name

► Mary Hopkins
Sign your name

Clerk stamps date here when form is filed.

-Must be filed within 30 days of
Notice of Entry of Judgment
being mailed

Fill in court name and street address:

Superior Court of California, County of
Los Angeles
Pasadena Courthouse
300 E. Walnut Street
Pasadena, CA 91101

Fill in your case number and case name below:

Case Number:
19PDSC06451
Case Name:
Hopkins vs. Smith

Clerk stamps date here when form is filed.

Answer

The person listed in ① on page 1 of this form has asked the court to correct or cancel the judgment in your small claims case.

Follow these steps to tell the court what you want to do about this request:

- Read page 1 to see what the person in ① is asking for.
- Fill out ⑥–⑨ below.
- Mail your completed form to the court right away.
- Mail a copy of this form to each plaintiff and defendant listed in ① and ② on page 1 of this form.

The court will mail its decision to all plaintiffs and defendants at least 10 days after the *Request* was mailed. If you do nothing, the court may make the order without hearing from you.

⑥ The person filing this answer is:

Name: Bryan Smith

Address: 878 Vanowen Street, Studio City, CA 91604

Check one: ☒ A defendant in this case ☐ A plaintiff in this case

⑦ Tell the court what you want to do about the request.

(Check all that apply):

- a. ☒ I agree to the correction requested in ③ a.
- b. ☐ I agree to the cancellation of judgment requested in ③ b.
- c. ☐ I do not agree with the request in ③ a. (Explain): _____
- d. ☐ I do not agree with the request in ③ b. (Explain): _____
- e. ☐ I ask the court to have a hearing to decide this matter.

☐ Check here if you need more space. Use Form MC-031 or a plain sheet of paper. Write "SC-108, Item 7" on top.

⑧ I mailed a copy of this form to everyone listed in ① and ② of this form on (date): 4/22/2019

⑨ I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.

Date: 4/22/2019

Bryan Smith

Type or print your name

Bryan Smith
Sign your name

Need help?

For free help, contact your county's Small Claims Advisor:

Or, go to "County-Specific Court Information" at:
www.courts.ca.gov/selfhelp-smallclaims.htm

Fill in court name and street address:

Superior Court of California, County of
Los Angeles
Pasadena Courthouse
300 E. Walnut Street
Pasadena, CA 91101

Fill in your case number and case name below.

Case Number:
19PDSC06451

Case Name:
Hopkins vs. Smith

The clerk fills out below.

— Clerk's Certificate of Mailing —

I certify that I am not involved in this case and (check one):

- ☐ A Certificate of Mailing is attached.
- ☐ The *Request to Correct or Cancel Judgment and Answer* was mailed first class, postage paid, to all parties at the addresses listed in ②.

On (date): _____
From (city): _____, California

Clerk, by _____, Deputy

Request

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If you are the person asking the court to correct or cancel a judgment, fill out ①–⑤ on this page, then file it at the clerk's office. The clerk will mail a copy of the form to all other plaintiffs and defendants in your case. The court will give the other plaintiffs and defendants at least 10 days to answer this *Request*. The court will mail its decision to you or tell you to go to a court hearing. If you did not go to the trial, you must use Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*.

If you receive this form, read below, then fill out ⑥ through ⑨ on page 2. The court will mail its decision to you or tell you to go to a court hearing.

① **The person asking the court to correct or cancel a judgment is:**

Name: Jones Bradley

Address: 575 Oakland Drive, Los Angeles, CA 90017

Check one: ☐ A defendant in this case
☒ A plaintiff in this case

② **Notice to:**

(List names and addresses of all other defendants and plaintiffs in your case.)

Name	Address
a. <u>Harry Waters</u>	<u>123 Bird Lane, Studio City, CA 91604</u>
b. <u>Sarah Watts</u>	<u>678 Java Drive, Los Angeles, CA 90017</u>

c. _____

d. _____

☐ Check here if you need more space. Use Form MC-031 or a plain sheet of paper. Write "SC-108, Item 2" on top.

③ **I ask the court to (check one):**

a. ☐ Correct the following clerical error in the judgment.

List the error: _____

Change to: _____

Explain why this correction is needed: _____

b. ☒ Cancel the judgment because the court applied the wrong law to this case. (Explain):

Pursuant to Civil Code Section 1719 I was entitled to damages up to \$1500.00 for the defendant writing me a bad check. The judge forgot to include the damages for the bad check in the judgment. The bad check was for \$2000.00 plus damages of 1500.00. Total judgment \$3500.00

☐ Check here if you need more space. Use Form MC-031 or a plain sheet of paper. Write "SC-108, Item 3" on top.

④ In making its order, I ask the court to consider the information on this form, any records on file, and, if the court holds a hearing, the evidence presented at that hearing.

⑤ I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.

Date: 04/16/2018

Jones Bradley

Type or print your name

► Jones Bradley
Sign your name

Clerk stamps date here when form is filed.

-Must be filed within 30 days of
Notice of Entry of Judgment
being mailed

Fill in court name and street address:

Superior Court of California, County of

Fill in your case number and case name below:

Case Number:

19PDSC01213

Case Name:

Bradley vs Smith

Clerk stamps date here when form is filed.

Answer

The person listed in ① on page 1 of this form has asked the court to correct or cancel the judgment in your small claims case.

Follow these steps to tell the court what you want to do about this request:

- Read page 1 to see what the person in ① is asking for.
- Fill out ⑥–⑨ below.
- Mail your completed form to the court right away.
- Mail a copy of this form to each plaintiff and defendant listed in ① and ② on page 1 of this form.

The court will mail its decision to all plaintiffs and defendants at least 10 days after the *Request* was mailed. If you do nothing, the court may make the order without hearing from you.

⑥ The person filing this answer is:

Name: Bryan Smith

Address: 878 Vanowen Street, Studio City, CA 91604

Check one: ☒ A defendant in this case ☐ A plaintiff in this case

⑦ Tell the court what you want to do about the request.

(Check all that apply):

- a. ☐ I agree to the correction requested in ③ a.
- b. ☐ I agree to the cancellation of judgment requested in ③ b.
- c. ☐ I do not agree with the request in ③ a. (Explain): _____

- d. ☒ I do not agree with the request in ③ b. (Explain): The plaintiff never sent me a written demand for payment of the bad check. Therefore she is not entitled to triple damages.

- e. ☐ I ask the court to have a hearing to decide this matter.

☐ Check here if you need more space. Use Form MC-031 or a plain sheet of paper. Write "SC-108, Item 7" on top.

⑧ I mailed a copy of this form to everyone listed in ① and ② of this form on (date): 04/22/2019**⑨ I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.**

Date: 4/23/2019

Bryan Smith

Type or print your name

Bryan Smith
Sign your name

? Need help?

For free help, contact your county's Small Claims Advisor:

Or, go to "County-Specific Court Information" at:
www.courts.ca.gov/selfhelp-smallclaims.htm

Fill in court name and street address:

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Pasadena Courthouse
300 E Walnut Street
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Fill in your case number and case name below.

Case Number:
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Case Name:
Hopkins vs Smith

The clerk fills out below.

— Clerk's Certificate of Mailing —

I certify that I am not involved in this case and (check one):

- ☐ A Certificate of Mailing is attached.
- ☐ The *Request to Correct or Cancel Judgment and Answer* was mailed first class, postage paid, to all parties at the addresses listed in ②.

On (date): _____
From (city): _____, California

Clerk, by _____, Deputy