

**DECLARATION IN SUPPORT OF URGENT EX PARTE APPLICATION**

Case Name \_\_\_\_\_ Case Number \_\_\_\_\_

The undersigned hereby represents to the Court:

- 1) I have firsthand, personal knowledge of the matters set forth herein and, if called upon to do so, could and would competently testify thereto.
- 2) This ex parte application is being presented to Judge \_\_\_\_\_ because Judge \_\_\_\_\_, to whom this case is assigned, is unavailable as described: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) This ex parte application requires urgent attention, and cannot wait until the assigned Judge is available because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 4) The issues presented by this ex parte application and the motion to be considered have not been directly or indirectly presented to or decided by any Judge of this Court previously in this case. (See CCP §1008 regarding sanctions for abuse of process.)
- 5) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated \_\_\_\_\_ Signed \_\_\_\_\_

In Pro Per       Attorney for \_\_\_\_\_

Denied \_\_\_\_\_ Signed \_\_\_\_\_

The denial of this ex parte application is based on review of this form only. The Court has determined that the ex parte application should be heard by the Judge assigned to this case. No consideration has been given to the underlying merits of the ex parte application. This denial is with prejudice to, and shall not be referred to or used in any way to oppose any subsequently filed ex parte application heard by the assigned Judge.