

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE**  
**CHECKLIST FOR CIVIL REQUEST FOR ENTRY OF DEFAULT**

This information is intended as a guide and only covers the most common reasons for rejection. Any errors in following the strict procedural requirements may result in default not being entered.

1. The default may be rejected if any of the following documents have been filed by the defendant who is named on the Request for Entry of Default form:
  - Pending demurrer or a motion to strike, dismiss, quash, stay, or transfer.
  - An automatic stay (such as a Notice of Stay re: bankruptcy or Order for Removal).
  - An answer or general denial.
  - An application for extension of time.
  - A petition for writ of mandate.
  
2. The Proof of Service will be reviewed for accuracy and completeness. If the affidavit does not provide the following information, the default may be rejected.
  - Judicial Council form used or document format complies with Rule 2.150 of the California Rules of Court.
  - Case number and name of document(s) served.
  - Exact name of defendant or cross-defendant served as named in complaint.
  - Separate proof of service for each named party.
  - Place and date of service
  - Method of service.
  - Completeness of "Notice to Person Served" (located on summons).
  - Signature of server.
  - Proof of service as to the Statement of Damages on Personal Injury or Wrongful Death actions. (Section 425.11 of California Code of Civil Procedures).
  
3. The Request for Entry of Default must not be filed until the time for the defendant or cross-defendant to file a response has expired. This is based on the most recent complaint or cross-complaint and the method of service.
  - If the last day falls on a weekend, holiday, or any day in which the court is closed, the defendant has through the following work day to file a response with the Court.
  - In Unlawful Detainer actions (5-day summons), do not count any Court holiday as part of the calculation.
  
4. Finally, the Request for Entry of Default form will be reviewed for accuracy and completeness. The most common reasons for rejections are:
  - Current Judicial Council form not used.
  - Incorrect Justice Center and/or case number.
  - Incorrect attorney of record.
  - Name(s) of defendant or cross-defendant do not conform with most recent complaint or cross-complaint.
  - Missing date of mailing.
  - No original signature.

**The filing of a Request for Entry of Default does not constitute entry of judgment.**