

Petition for Writ (Misdemeanor, Infraction, or Limited Civil Case)

FILED
Clerk stamps date here when form is filed.
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
AUG 29 2012
ALAN CARLSON, Clerk of the Court

Petitioner
(fill in the name of the person asking for the writ)
SHARON LOGAN
v.

Superior Court of California, County of Orange
West Justice

Respondent
(fill in the name of the court whose action or ruling you are challenging)

Alex Raelofs
Real Party in Interest
(fill in the name of any other parties in the trial court case)

Clerk will fill in the number below:
Appellate Division Number:
00594437
Stay requested
(see item 12 c. on page 6)

Instructions

- This form is only for requesting a writ in a misdemeanor, infraction, or limited civil case. You can get forms for other writs and for appeals at any courthouse or county law library or online at www.courtinfo.ca.gov/forms.
Before you fill out this form, read Information on Writ Proceedings in Misdemeanor, Infraction, and Limited Civil Cases (form APP-150-INFO) to know your rights and responsibilities. You can get form APP-150-INFO at any courthouse or county law library or online at www.courtinfo.ca.gov/forms.
Unless a special statute sets an earlier deadline, you should file this form no later than 30 days after the date the superior court took the action or issued the ruling you are challenging in this petition (see form APP-150-INFO, page 7, for more information about the deadline for filing a writ petition). It is your responsibility to find out if a special statute sets an earlier deadline. If your petition is filed late, the appellate division may deny it.
Fill out this form and make a copy of the completed form for your records and for the respondent (the trial court whose action or ruling you are challenging) and each of the real parties in interest (the other party or parties in the trial court case).
Serve a copy of the completed form on the respondent and on each real party in interest and keep proof of this service. Proof of Service (Appellate Division) (form APP-109) can be used to make this record. You can get information about how to serve court papers and proof of service from What Is Proof of Service? (form APP-109-INFO) and on the California Courts Online Self-Help Center at www.courtinfo.ca.gov/selfhelp/lowcost/getready.htm#serving.
Take or mail the completed form and your proof of service on the respondent and each real party in interest to the clerk's office for the appellate division of the superior court that took the action or issued the ruling you are challenging.



Appellate Division Case Number:

Appellate Division Case Name: Logan vs Superior Court

(Alex Roelofs)

1 Your Information

a. Petitioner (the party who is asking for the writ):

Name: Sharon Logan

Street address: 4665 Ironwood Ave Seal Beach CA 90740

Mailing address (if different): Same

Phone: 714-371-3715 E-mail (optional): Sharon@powprotectors.org

b. Petitioner's lawyer (skip this if the petitioner does not have a lawyer for this petition):

Name: State Bar number:

Street address:

Mailing address (if different):

Phone: E-mail (optional):

Fax (optional):

The Trial Court Action or Ruling You Are Challenging

2 I am/My client is filing this petition to challenge an action taken or ruling made by the trial court in the following case:

a. Case name (fill in the trial court case name): Roelofs v Logan

b. Case number (fill in the trial court case number): 30-2012-00551760

3 The trial court action or ruling I am/my client is challenging is (describe the action taken or ruling made by the trial court): Denial of ex parte Application FOR ORDER STAYING EVICTION AND ALLOWING SHARON LOGAN ONTO PROPERTY AND BACK INTO THE RESIDENCE UNTIL PLAINTIFF FILES A NEW 30 DAY NOTICE. Plaintiff allowed defendant and invited her to move back in on April 4th 2012. The writ of possession was issued April 4th 2012. Defendant has paid rent in the amount of \$500.00 from April until August 2012 and asks that due process be followed and a new unlawful detainer filed by Plaintiff.

4 The trial court took this action or made this ruling on the following date (fill in the date): 8/28/2012

5 If you are filing this petition more than 60 days after the date that you listed in (4), explain the extraordinary circumstances that caused the delay in filing this petition:



Appellate Division Case Name: Logan vs Superior Court (Alex Roelofs)

The Parties in the Trial Court Case

- 6 My client (check and fill in a or b):
a. [X] was a party in the case identified in (2).
b. [ ] was not a party in the case identified in (2) but will be directly and negatively affected in the following way by the action taken or ruling made by the trial court...

7 The other party or parties in the case identified in (2) was/were (fill in the names of the parties): Alex Roelofs - plaintiff

Appeals or Other Petitions for Writs in This Case

- 8 Did you or anyone else file an appeal about the same trial court action or ruling you are challenging in this petition? (Check and fill in a or b):
a. [X] No
b. [ ] Yes (fill in the appellate division case number of the appeal):

- 9 Have you filed a previous petition for a writ challenging this trial court action or ruling? (Check and fill in a or b):
a. [X] No
b. [ ] Yes (Please provide the following information about this previous petition).
(1) Petition title (fill in the title of the petition):
(2) Date petition filed (fill in the date you filed this petition):
(3) Case number (fill in the case number of the petition):

If you/your client filed more than one previous petition, attach another page providing this information for each additional petition. At the top of each page, write "APP-151, item 9."

Reasons for This Petition

- 10 The trial court made the following legal error or errors when it took the action or made the ruling described in (3) (check and fill in at least one):
a. [X] The trial court has not done or has refused to do something that the law says it must do.
(1) Describe what you believe the law says the trial court must do: AFTER WINNING A JUDGMENT IN THIS UNLAWFUL DETAINER ACTION, PLAINTIFF ASKED Logan to move into his house again the SAME DAY she moved out on April 3rd 2012. See ATTACHMENT 10(a) Plaintiff MUST file a new unlawful...
(2) Identify the law (the section of the Constitution or statute, published court decision, or other legal authority) that says the trial court must do this: Civil Code § 1946 et seq. CCP 1160, CCP 1161 et seq. (Detainer if he wants her removed from the home.)

(Appellate Case)

10 (continued)

(3) Identify where in the supporting documents (the record of what was said in the trial court and the documents from the trial court) it shows that the court did not do or refused to do this:

THERE IS NO TRANSCRIPT HOWEVER THERE SHOULD BE A MINUTE ORDER WHEN IT IS POSTED BY THE CLERK. Minute Order is attached.

Check here if you need more space to describe the reason for your petition and attach a separate page or pages describing it. At the top of each page, write "APP-151, item 10a."

b. The trial court has done something that the law says the court cannot or must not do.

(1) Describe what the trial court did: denied Defendant due process in regards to the eviction. Plaintiff was not ordered to file a new unlawful detainer and therefore Defendant was denied her due process.

(2) Identify where in the supporting documents (the record of what was said in the trial court and the documents from the trial court) it shows that the court did this: Attached is the Minute Order where it states

The motion for an order staying eviction is Denied.

(3) Identify the law (the section of the Constitution or statute, published court decision, or other legal authority) that says the trial court cannot or must not do this: Pursuant to Civil Code § 1946, Plaintiff must give 30 days written notice to terminate defendant's tenancy which started again after defendant moved back in and paid her rent although she was going to move out by Sept 30, 2012 before Plaintiff forcibly removed her denying her access to all her belongings and business.

Check here if you need more space to describe the reason for your petition and attach a separate page or pages describing it. At the top of each page, write "APP-151, item 10b."

c. The trial court has performed or said it is going to perform a judicial function (like deciding a person's rights under law in a particular situation) in a way the court does not have the legal power to do.

(1) Describe what the trial court did or said it is going to do:

(2) Identify where in the supporting documents (the record of what was said in the trial court and the documents from the trial court) it shows that the court did or said it was going to do this:



10 (continued)

(3) Identify the law (the section of the Constitution or statute, published court decision, or other legal authority) that says the trial court does not have the power to do this:

EC P 25 1160 CIVIL CODE SS 1916.

Check here if you need more space to describe the reason for your petition and attach a separate page or pages describing it. At the top of each page, write "APP-151, item 10c."

Check here if there are more reasons for this petition and attach an additional page or pages describing these reasons. At the top of each page, write "APP-151, item 10d."

11 This petition will be granted only if there is no other adequate way to address the trial court's action or ruling other than by issuing the requested writ.

a. Explain why there is no way other than through this petition for a writ-through an appeal, for example-for your arguments to be adequately presented to the appellate division:

LOGAN HAS NO ACCESS TO HER BELONGINGS AND MORE IMPORTANTLY HER OWN DOGS AND HER FOSTER DOGS. ADDITIONALLY HER BUSINESS OPERATIONS ARE INACCESSIBLE TO HER AND HER COMPUTER. KOELOFS HAS COMPLETE CONTROL OF ALL THIS ACCORDING TO JUDGE BEECHER.

b. Explain how you/your client will be irreparably harmed if the appellate division does not issue the writ you are requesting:

LOGANS BUSINESS IS A NON-PROFIT DOG RESCUE SHE RESCUES DOGS FROM SHELTERS AND JUDGE BEECHER SUGGESTED THAT KOELOFS COULD CALL A SHELTER. SHE WILL LOOK FOOLISH IF THE FOSTER DOGS ARE RETURNED TO A SHELTER. EVEN IF KOELOFS KEEPS THE DOGS HE WORKS 12-14 HRS/DAY AND THERE IS NO ONE TO CARE FOR THESE DOGS DURING THAT TIME. SHE CANNOT OPERATE HER BUSINESS  
Order You Are Asking the Appellate Division to Make See Attachment 1 (6)

12 I request that this court (check and fill in all that apply):

a.  order the trial court to do the following (describe what, if anything, you want the trial court to be ordered to do): to GRANT the application AND REQUIRE KOELOFS TO Comply with the law by giving Logan 30 DAYS Notice to TERMINATE THE TENANCY ALLOWING HER A REALISTIC AMOUNT OF TIME TO FIND ALTERNATE HOUSING FOR HERSELF HER BUSINESS AND THE ANIMALS and she be allowed back into the residence and on the property until a new

b.  order the trial court not to do the following (describe what, if anything, you want the trial court to be ordered NOT to do):  
Unlawful detainer is filed by Plaintiff.

12 (continued)

c.  issue a stay ordering the trial court not to take any further action in this case until this court decides whether to grant or deny this petition (describe below why it is urgent that the trial court not take any further action and check the Stay requested box on page 1 of this form):

JUDGE BEECHER ORDERED LOGAN TO WAIT FOR ROELOFS TO CALL HER ABOUT HER PROPERTY SO NOW LOGAN CANNOT EVEN CALL ROELOFS AND BEG HIM TO AT LEAST RELEASE HER PROPERTY AND MY client: The DOGS, all items related to her non profit business.

(1)  asked the trial court to stay these proceedings, but the trial court denied this request (include in your supporting documents a copy of the trial court's order denying your request for a stay).

(2)  did not ask the trial court to stay these proceedings for the following reasons (describe below why you did not ask the trial court to stay these proceedings):

SHE ASKED AT LEAST FOR RELEASE OF HER PROPERTY AND THE COURT RESPONDED AS SET FORTH ABOVE.

d.  take other action (describe): ORDER ROELOFS TO RELEASE THE PROPERTY AND THE DOGS AND GIVE HER THE DUE PROCESS TO WHICH SHE IS ENTITLED (30 DAYS NOTICE) that she the defendant be allowed back onto the property and residence be allowed 30 days to obtain housing, find foster homes or adopters for the 3 Foster dogs, time to move her business, personal property, that Plaintiff

e.  grant any additional relief that the appellate division decides is fair and appropriate. Punitive Damages in the amount of \$5,000 for Animal endangerment, harassment, loss of wages, mental distress, Food, lodging, victim of an illegal lockout be made to file a new unlawful detainer against defendant.

Supporting Documents

13 Is a record of what was said in the trial court about the action or ruling you are challenging attached as required by rule 8.931(b)(1)(D) of the California Rules of Court?

a.  Yes, a transcript or an official electronic recording of what was said in the trial court is attached.

b.  No, a transcript or official electronic recording is not attached, but I have attached a declaration (a statement signed under penalty of perjury) (Check (1) or (2)):

(1)  stating the transcript or electronic recording has been ordered, the date it was ordered, and the date it is expected to be filed

(2)  explaining why the transcript or official electronic recording is not available and providing a fair summary of what was said in the trial court, including the petitioner's arguments and any statement by the trial court supporting its ruling.



Appellate Division Case Name: Logan vs. Superior Court  
Alex Pridem

14 Are the following documents attached as required by rule 8.931(b)(1)(A)-(C):

- The trial court ruling being challenged in this petition
- All documents and exhibits submitted to the trial court supporting and opposing the petitioner's position
- Any other documents or portions of documents submitted to the trial court that are necessary for a complete understanding of the case and the ruling being challenged? (Check a or b):
  - a.  Yes, these documents are attached.
  - b.  No, these documents are not attached for the following reasons (explain why these documents are not attached and give a fair summary of the substance of these documents. Note that rule 8.931 provides that, in extraordinary circumstances, the petition may be filed without these documents, but the petitioner must explain the urgency and the circumstances making the documents unavailable):

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**Verification**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 08.28.2012

Sharon Logan  
Type or print your name

S. Logan  
Signature of petitioner or attorney

SHORT TITLE:

CASE NUMBER:

Lugan vs. Superior Court (Alex Roelofs)

ATTACHMENT (Number): 10(a)

(This Attachment may be used with any Judicial Council form.)

She AGREED AND MOVED BACK IN ON 4-3-12. ON April 19, 2012 she paid him \$500.00 FOR THE MONTH. She CONTINUED TO PAY THIS AMOUNT EVERY MONTH INCLUDING THE MONTH OF August. ON August 26, 2012 PLAINTIFF NOTIFIED LOGAN ORALLY He wanted her to move out by 9-5-12 AND she AGREED TO THE SAME NIGHT while she was bathing he took her house key out of her POSE AND he changed the GARAGE DOOR CODE without her KNOWLEDGE. She went out FOR THE EVENING AND COULD NOT RE-ENTER the house to even retrieve her belongings OR her 5 dogs. Her RENT WAS PAID THROUGH 8-31-2012. Defendant has a IRS Sanctioned 501(c)3 non profit dog rescue that is operated out of the home ACCORDING TO CCP § 1160 PLAINTIFF COMMITTED DETAINER BY LOCKING her out.

PURSUANT TO Civil Code § 1946 PLAINTIFF MUST GIVE 30 DAYS WRITTEN NOTICE TO TERMINATE DEFENDANT'S TENANCY WHICH STARTED AGAIN AFTER SHE MOVED BACK IN AND PAID HER RENT. ALTHOUGH SHE WAS GOING TO MOVE OUT BY ~~Sept 30, 2012~~ BEFORE HE FORCIBLY REMOVED HER, DENYING HER ACCESS TO ALL HER BELONGINGS AND HER DOGS AND HER BUSINESS (SHE OWNS A NON-PROFIT DOG RESCUE SANCTIONED BY THEIRS) BUT NOW DEFENDANT ARGUES THAT PLAINTIFF MUST FOLLOW THE STATUTES REGULATING LANDLORD TENANT RELATIONSHIPS.

THERE CAN BE NO EVICTION IN THE MANNER UNDERTAKEN HEREIN BY ALEX ROELOFS PURSUANT TO CCP 1160 et seq ON TUESDAY AUG. 28, 2012 AN EX PARTE APPLICATION FOR ORDER STAYING THIS EVICTION AND ALLOWING LOGAN BACK ONTO THE PROPERTY WAS SOUGHT BY LOGAN UPON PROPER NOTICE TO

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 2  
(Add pages as required)



SHORT TITLE:

CASE NUMBER:

Logan vs. Superior Court (Alex Roelofs)

ATTACHMENT (Number): 10(a)

(This Attachment may be used with any Judicial Council form.)

ROELOFS. This Application WAS HEARD ~~IN~~ W-10  
At 1:30 PM BY JUDGE Michael Beecher.

Judge Beecher denied LOGAN'S APPLICATION FOR ORDER  
EVEN THOUGH he ADMITTED that he UNDERSTOOD  
SHE WAS CURRENT ON HER RENT AND THAT she HAS  
NO ACCESS to her PROPERTY, her PERSONAL DOGS (2)  
the 3 dogs she is CURRENTLY FOSTERING (mom  
and 2 puppies - 8 weeks old) her BUSINESS AND  
HER COMPUTER. JUDGE BEECHER FELT THAT  
their PRIOR ROMANTIC RELATIONSHIP PROVIDED THE  
COURT WITH DISCRETION to VOID CCP § 1160  
AND THE UNLAWFUL DETAINER STATUTES CCP 1161 et  
seq. He ruled that maybe Roelofs would call  
LOGAN to MAKE ARRANGEMENTS to PICK UP her  
POSSESSIONS OR maybe HE would call the  
ANIMAL shelter.

The court should have explained to Roelofs  
that his CONDUCT ON 8-26-12 VIOLATED  
CCP 1160; that LOGAN IS LEGALLY his tenant  
AS she PAID her RENT ON A timely BASIS  
AND THAT to terminate this tenancy he  
MUST give her <sup>WRITTEN</sup> NOTICE AS SPECIFIED IN  
The Civil Code DEPENDING ON THE BASIS  
FOR TERMINATION OF THE TENANCY.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this  
Attachment are made under penalty of perjury.)

Page 2 of 2  
(Add pages as required)

SHORT TITLE:

CASE NUMBER:

ATTACHMENT (Number) APP 151, item 10b.  
(This Attachment may be used with any Judicial Council form.)

CCP § 1160, Plaintiff committed forcible  
detainer by locking her out.

Pursuant to CCP § 1160, There can be no eviction in the  
manner taken herein by Alexander Reelofs, on Tuesday August 28th  
2012 an ex parte application for order staying this eviction and  
allowing back onto property was sought by Logan and Denied.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this  
Attachment are made under penalty of perjury.)

Page \_\_\_\_ of \_\_\_\_  
(Add pages as required)

SHORT TITLE:

CASE NUMBER:

Logan vs. Superior Court (Alex Paeleos)

ATTACHMENT (Number): 116

(This Attachment may be used with any Judicial Council form.)

AND ARRANGE ADOPTIONS, FIND FOSTER HOMES, NETWORK OR SOLICIT FOR DONATIONS AS LONG AS SHE IS LOCKED OUT. FURTHER SHE ONLY HAS THE CLOTHES SHE WAS WEARING SUNDAY NIGHT AND HAS NO ACCESS TO HER PERSONAL BELONGINGS, EVEN THOUGH HER RENT IS FULLY PAID. SHE ALSO NEEDS HER COMPUTER TO CONDUCT BUSINESS FOR DEFENDANT'S NON PROFIT DOG RESCUE.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page \_\_\_\_ of \_\_\_\_  
(Add pages as required)

SHORT TITLE:

CASE NUMBER:

Logan vs. Superior Court (Alex Roelofs)

Declaration,

ATTACHMENT (Number): \_\_\_\_\_

(This Attachment may be used with any Judicial Council form.)

I Sharon Logan declare that:

There was no transcript or electronic recording. Judge Michael Beecher seemed favorable in the beginning and listened to arguments from both sides. Judge Beecher then stated he really needed to consider that if the defendant was entitled to Due Process and was considering whether the plaintiff Alex Roelofs was going to need to issue me a <sup>new</sup> 30 day notice. Judge Beecher asked that we all sit down while he pulled up all the paperwork from the last hearing and review all of it. Plaintiff and Judge Beecher both acknowledged that the Plaintiff did put in a written form for dismissal of the writ of possession on April 11th 2012. The request for dismissal was denied based on the fact that judgment and the writ of possession was already entered on April 4th 2012. In conclusion Judge Michael Beecher decided based on our tumultuous past relationship that allowing <sup>me</sup> back onto the property was in his opinion not a good idea! I am asking that due process be applied here and the law. I was asked to move back in when I had already moved out after the writ of possession was issued. I moved back in at Plaintiff's request paid \$500.00 monthly for rent from April through August 2012. I need another 30 day notice from Plaintiff, I am asking the court to please allow me back into the residence and property that Plaintiff be made to file a new unlawful detainer and that the court allow me 30-days to find a new residence for myself, my dogs, my business and all my personal belongings.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.) S. Logan

Page \_\_\_\_\_ of \_\_\_\_\_

Dated 08.28.2012. (Add pages as required)

Sharon Logan  
4665 Ironwood Ave  
Seal Beach CA 90740  
714 371-3715

IN PRO PER

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
WEST JUSTICE CENTER  
AUG 28 2012  
ALAN SLATER, Clerk of the Court  
DEPUTY

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE  
WEST JUSTICE CENTER**

Alex Roelofs,  
Plaintiff,  
vs.  
Sharon Logan,  
Defendant

Case No.  
30-2012-00551760-CL-UD-WJC

EX PARTE APPLICATION FOR ORDER  
STAYING EVICTION; and allowing Sharon  
Logan onto the property, back into the  
residence until plaintiff can file a new 30 day  
notice. Declaration of Sharon Logan;  
Memorandum of Points and Authorities; and  
Proposed Order

08.28.2012  
1:30 p.m.  
Department W-10

Pursuant to CCP § 918 and Cal. Rules of Court, rules 3.1200 to 3.1207, defendant in the above-entitled action, applies ex parte for an order allowing defendant back into the property and staying any self-help options that plaintiff has instituted locking defendant out without proper eviction procedures on the grounds that plaintiff has been collecting rent from defendant since the date judgment was entered and after requesting that defendant move back

Ex Parte Application, Memorandum of Points and Authorities, Declaration and Proposed

Order

1 into the property has improperly locked her out with her possessions still inside including several  
2 dogs. A momma dog and two puppies which defendant was fostering, which are stranded inside  
3 the property. The ex parte application is based on this application, on the attached memorandum  
4 of points and authorities, on the attached declaration of Sharon Logan , on the  
5 attached declaration of notice of Sharon Logan  
6 , and on all the papers, pleadings, and records on file in this action.  
7

8 Dated: 08-27-2012

9 Sharon Logan

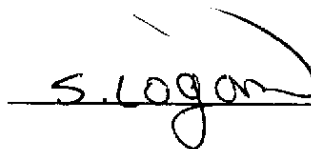
10 Declaration of Notice to Adverse Party

- 11 1. Plaintiff is representing himself in this action. His telephone number is:
- 12
- 13 2. 08-27, 2012, at 9:00 a.m. I notified plaintiff by telephone that I would present  
14 to this Court on 08-28-12 at 1:30 p.m. at West Justice Center in Department W-10,  
15 an application for an order staying eviction and allowing me back onto the property  
16 and residence until plaintiff can go through the proper legal channels and issue a  
17 30 day notice
- 18
- 19 3. Plaintiff stated he would appear and oppose the application,  
20

21

22 I declare under penalty of perjury under the laws of the State of California that  
23 the foregoing is true and correct.  
24

25 Dated: 08-27-2012

26   
27

1  
2  
3 MEMORANDUM OF POINTS AND AUTHORITIES  
4

5 1.

6 I, Sharon Logan the defendant had moved out of this residence and property on April  
7 3<sup>rd</sup>. per the stipulated court order in this action., Plaintiff asked and invited me to move  
8 back into the residence on the same day that I moved out April 3<sup>rd</sup>, 2012. I moved back  
9 into the residence the same day, on April 11<sup>th</sup> 2012, Plaintiff came into the courthouse  
10 and asked to file and obtain a judgment of dismissal in regards to the eviction, the  
11 dismissal was denied based on the grounds of the judgment was ordered on 04-02-  
12 2012. I have been a resident in the home from 04-03-2012 until August 26<sup>th</sup> 2012 when  
13 Plaintiff locked me out illegally. I have been paying \$500 a month in rent from April  
14 through August 2012. Defendant asks the eviction be stayed and defendant be allowed  
15 back into the residence as Plaintiff invited me back into the residence after the eviction  
16 and accepted rent from me after the eviction for 5 months in the amount of \$500.00.  
17 Plaintiff needs to file a new 30 day notice if Plaintiff would like me to leave the  
18 residence.  
19  
20

21 2.

22 CCP § 918 AUTHORIZES THIS COURT TO  
23 STAY THE EVICTION  
24

25 "...the trial court may stay the enforcement of any judgment or order." CCP § 918  
26 Defendant paid plaintiff \$500.00 a month rent from April through August 2012 to be allowed  
27 to stay in the residence and for use of common areas. Defendant has evidence of payment  
28 of \$500.00 monthly for 5 months.

1 After moving and pursuant to the judgment, Plaintiff asked defendant to return to the  
2 residence which she did and paid rent on a monthly basis .

3 On 08-26-2012, while Defendant was in the bathtub taking a bath, Plaintiff removed the  
4 house key from her key ring which was in her purse without her knowledge or permission,  
5 he then preceded to tell her it was fine that she go out and just use the access code on the  
6 remote keypad attached to the garage to come back into the residence later that night.

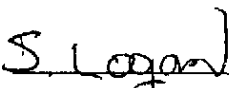
7 Plaintiff then also removed the access keypad remote from the garage door when she was  
8 out and therefore locking her totally out of the residence illegally.

9  
10  
11 3.

12 CONCLUSION

13 The court should stay the eviction based on the facts presented in defendant's declaration  
14 and its inherent power to issue this order.

15  
16 Dated: 08-27-2012

17   
18 \_\_\_\_\_  
19 Sharon Logan



1                   DECLARATION OF Sharon Logan IN SUPPORT OF THIS EX PARTE  
2 APPLICATION FOR ORDER ALLOWING DEFENDANT TO ENTER THE PROPERTY

- 3
- 4       1. I am the defendant in the above entitled matter and I can state the following facts  
5       based on my own personal knowledge.
- 6
- 7       2. On April 3<sup>rd</sup> I vacated the residence I had all my personal property and  
8       belongings in storage, when Plaintiff ask me to move back in. Defendant agreed  
9       and moved back in the same day.
- 10
- 11       3. From April 2012 to August 2012 Defendant has paid \$500 a month in rent to the  
12       Plaintiff.       *See EX A establishing payments for Rent*  
13       *April, May, June, July and August.*
- 14       4. On April 11, 2012 Plaintiff came in the courthouse and asked to file a Dismissal  
15       in regards to the eviction. The Dismissal was denied based on the grounds that  
16       judgment was ordered on April 4, 2012.
- 17
- 18       5. Defendant is asking the eviction to be stayed and Defendant be allowed back  
19       into the residence as Plaintiff invited Defendant back into the residence after the  
20       eviction and accepted rent from the Defendant after the eviction for 5 months  
21       (April 2012 to August 2012) in the amount of \$500 per month.
- 22
- 23       6. On 08-26-2012, while Defendant was in the bathtub taking a bath, Plaintiff removed  
24       the house key from her key ring which was in her purse without her knowledge or  
25       permission, he then preceeded to tell her it was fine that she go out and just use the  
26       access code on the remote keypad attached to the garage to come back into the  
      residence later that night.

- 1 7. Plaintiff then also removed the access keypad remote from the garage door when  
2 she was out and therefore locking her totally out of the residence illegally.
- 3 8. Defendant is fostering a mother and two puppies through her rescue which are  
4 stranded inside the property and Defendant has not been allowed access to the  
5 dogs for 2 days.
- 6 9. Defendant asks for punitive damages in the amount of Five Thousand Dollars  
7 (\$5,000.00), for animal endangerment, harassment, loss of wages, mental  
8 distress, food, lodging and being the victim of an illegal lockout.
- 9
- 10 10. In closing Plaintiff will need to file a new 30 day notice if Plaintiff desires the  
11 Defendant to vacate.
- 12
- 13

14 I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct. Executed on (date) <sup>08</sup> 28<sup>th</sup> at Westminster California  
16 2012

17 S. Logan  
18 (Sharon Logan)

19

20

21

22

23

24

25

26

Merchant Name	Posted Date	Reference Number	Transaction Details	Credit	Debit
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	04-09-2012	21002704	ATM Cash Withdrawal		(\$120.00)
ARCO PAYPOINT ARCO PAYPOINT GARDEN GROVE, California 92843 United States	04-09-2012	210016706732	Purchase of Goods or Services		(\$20.35)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	04-09-2012	21002632	ATM Cash Withdrawal		(\$400.00)
CHICK-FIL-A #01507 OCEANSIDE, California 92054 United States	04-09-2012	209923710016	Purchase of Goods or Services		(\$16.50)
WAL-MART #2495 WAL-MART #2495 WESTMINSTER, California 92683 United States	04-08-2012	209917326426	Purchase of Goods or Services		(\$65.35)
PETSMART INC 1217 PETSMART INC 1217 OCEANSIDE, California 92054 United States	04-07-2012	209823494138	Purchase of Goods or Services		(\$29.23)
#06733 ALBERTSONS #06733 ALBERTSONS OCEANSIDE, California 92056 United States	04-07-2012	209817092207	Purchase of Goods or Services		(\$16.45)
USA PETROLEUM 68 USA PETROLEUM 68 LAKE FOREST, California United States	04-07-2012	209815897345	Purchase of Goods or Services		(\$22.74)
VONS Store 2041 VONS Store 2041 GARDEN GROVE, California 92845 United States	04-07-2012	209802862829	Purchase of Goods or Services		(\$4.60)
SERENITY TAN GARDEN GROVE, California 92845 United States	04-07-2012	209829206125	Purchase of Goods or Services		(\$4.85)
CHEVRON/HASSAN & SONS CHEVRON/HASSAN & SONS CYPRESS, California 90630 United States	04-06-2012	209707200477	Purchase of Goods or Services		(\$20.00)
STYLES FOR LESS STYLES FOR LESS CYPRESS, California 906300000 United States	04-05-2012	209620661413	Purchase of Goods or Services		(\$35.47)
4 STAR CINEMAS GARDEN GROVE, California 92845 United States	04-04-2012	209527980002	Purchase of Goods or Services		(\$13.75)
ARCO PAYPOINT ARCO PAYPOINT WESTMINSTER, California 92683 United States	04-04-2012	209517493490	Purchase of Goods or Services		(\$20.35)

EXHIBIT A PAGE \_\_\_\_\_

Merchant Name	Posted Date	Reference Number	Transaction Details	Credit	Debit
COSMO HAIR&NAILS SPA GARDEN GROVE, California 92841 United States	05-02- 2012	212329900018	Purchase of Goods or Services		(\$50.00)
7-ELEVEN 7-ELEVEN SAN DIEGO, California United States	05-02- 2012	212316804533	Purchase of Goods or Services		(\$25.00)
VONS Store 2041 VONS Store 2041 GARDEN GROVE, California 92845 United States	05-01- 2012	212213758963	Purchase of Goods or Services		(\$43.94)
WAL-MART #2495 WAL-MART #2495 WESTMINSTER, California 92683 United States	05-01- 2012	212218398731	Purchase of Goods or Services		(\$27.39)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	05-01- 2012	21226825	ATM Cash Withdrawal		(\$100.00)
STYLES FOR LESS STYLES FOR LESS CYPRESS, California 906300000 United States	05-01- 2012	212219705286	Purchase of Goods or Services		(\$13.98)
ROSS STORES #106 ROSS STORES #106 CYPRESS, California 000090630 United States	05-01- 2012	212219891176	Purchase of Goods or Services		(\$63.49)
CA EDD DEPOSIT	04-30- 2012	588419611862	ACH Load Credit	\$866.00	
EDWARDS WESTMINSTER 10 WESTMINSTER, California 92683 United States	04-30- 2012	212121151214	Purchase of Goods or Services		(\$11.75)
VONS Store 2041 VONS Store 2041 GARDEN GROVE, California 92845 United States	04-30- 2012	212109174015	Purchase of Goods or Services		(\$6.35)
SHELL Service Station SHELL Service Station GARDEN GROVE, California 92845 United States	04-29- 2012	212015086934	Purchase of Goods or Services		(\$5.68)
PETCO ANIMAL SUPPLIES PETCO ANIMAL SUPPLIES OCEANSIDE, California United States	04-28- 2012	211993792362	Purchase of Goods or Services		(\$7.29)
SHELL Service Station SHELL Service Station OCEANSIDE, California 92054 United States	04-28- 2012	211918303174	Purchase of Goods or Services		(\$6.55)
PETCO ANIMAL SUPPLIES PETCO ANIMAL SUPPLIES OCEANSIDE, California United States	04-28- 2012	211937452833	Purchase of Goods or Services		(\$6.78)

Merchant Name	Posted Date	Reference Number	Transaction Details	Credit	Debit
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	05-15-2012	21361237	ATM Cash Withdrawal		(\$160.00)
WAL-MART #1914 WAL-MART #1914 SAN BERNARDI, California 92346 United States	05-15-2012	213613802607	Purchase of Goods or Services		(\$55.28)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	05-15-2012	21361284	ATM Cash Withdrawal		(\$400.00)
Totals				\$1,732.00	(\$2,226.57)

Total Overdraft Fees

Description	Total For This Period	Total Year-To-Date
Total Overdraft Fees	\$0.00	\$0.00

Overdraft Fees refer to the Negative Balance Fees as described in your cardholder terms and conditions.

## CARDHOLDERS WHO RECEIVE MONTHLY ACCOUNT STATEMENTS

In Case of Errors or Questions About Your Electronic Transfers: Telephone us at 1.866.692.9374, 1.866.656.5913 TTY, or 423.262.1650 (Collect when calling outside the U.S.), or write to us at Bank of America California Employment Development Department Cardholder Services, P.O. Box 1000, Taos, New Mexico 87571-1000.

Call or write us as soon as you can if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared:

1. Tell us your name and account number.
2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

## CARDHOLDERS WHO DO NOT RECEIVE MONTHLY ACCOUNT STATEMENTS

In Case of Errors or Questions About Your Electronic Transfers: Telephone us at 1.866.692.9374, 1.866.656.5913 TTY, or 423.262.1650 (Collect when calling outside the U.S.), or write to us at Bank of America California Employment Development Department Cardholder Services, P.O. Box 1000, Taos, New Mexico 87571-1000.

Merchant Name	Posted Date	Reference Number	Transaction Details	Credit	Debit
APL*APPLE ITUNES STORE 866-712-7753, California 95014 United States	07-13-2012	219525000127	Purchase of Goods or Services		(\$1.29)
AVID PETTRAC 951-3717505, California 92860 United States	07-13-2012	219520121950	Purchase of Goods or Services		(\$19.95)
Z PIZZA SEAL BEACH 562-493-3440, California 90740 United States	07-13-2012	219522104019	Purchase of Goods or Services		(\$20.00)
LA FITNESS 949-255-8100, California 92612 United States	07-12-2012	219427940000	Purchase of Goods or Services		(\$39.99)
TRADER JOE'S # 043 TRADER JOE'S # 043 LONG BEACH, California 90803 United States	07-11-2012	219315874754	Purchase of Goods or Services		(\$58.06)
BANK OF AMERICA *SEACLIFF VILLAGE HUNTINGTON BE, California United States	07-11-2012	21933389	ATM Cash Withdrawal		(\$60.00)
HOOTERS OF ANAHEIM ANAHEIM, California 92806 United States	07-11-2012	219328207188	Purchase of Goods or Services		(\$69.90)
SPRINT *WIRELESS 800-639-6111, Kansas 66251 United States	07-11-2012	219321000426	Purchase of Goods or Services		(\$168.22)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	07-10-2012	21923922	ATM Cash Withdrawal		(\$60.00)
NORDSTROM 338 901 SOUTH C NORDSTROM 338 901 SOUTH C COSTA MESA, California United States	07-10-2012	219217557036	Purchase of Goods or Services		(\$70.01)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	07-10-2012	21926615	ATM Cash Withdrawal		(\$300.00)
CA EDD DEPOSIT	07-10-2012	655058809986	ACH Load Credit	\$866.00	
WESTMINSTER 10 WESTMINSTER, California 92683 United States	07-08-2012	219020556014	Purchase of Goods or Services		(\$12.00)
WESTMINSTER 10 WESTMINSTER, California 92683 United States	07-08-2012	219020556014	Purchase of Goods or Services		(\$6.08)
REDBOX *DVD RENTAL 866-733-2693, Illinois 60181 United States	07-07-2012	218928000308	Purchase of Goods or Services		(\$1.29)

Merchant Name	Posted Date	Reference Number	Transaction Details	Credit	Debit
JUICYS AT THE FAIR 888.909.9991, Oregon 97330 United States	07-27- 2012	220824900019	Purchase of Goods or Services		(\$14.75)
STARBUCKS CORP00095497 NORCO, California 92860 United States	07-27- 2012	220822355898	Purchase of Goods or Services		(\$4.75)
Wells Fargo Ban LITTLE- SAIGON WESTMINSTER, California United States	07-26- 2012	220904467007	ATM Cash Withdrawal		(\$23.00)
R.F. ENTERPRISE #10 GARDEN GROVE, California 92841 United States	07-26- 2012	220828987199	Purchase of Goods or Services		(\$43.50)
7-ELEVEN 7-ELEVEN NORCO, California United States	07-26- 2012	220818803417	Purchase of Goods or Services		(\$8.29)
FANTASY NAILS & SPA GARDEN GROVE, California 92845 United States	07-26- 2012	220827900017	Purchase of Goods or Services		(\$51.00)
EXXONMOBIL POS EXXONMOBIL POS NORCO, California 92860 United States	07-26- 2012	220814464343	Purchase of Goods or Services		(\$35.00)
BANK OF AMERICA *NORCO NORCO, California United States	07-26- 2012	22087725	ATM Cash Withdrawal		(\$20.00)
ROSS STORES #178 ROSS STORES #178 CORONA, California 928790000 United States	07-26- 2012	220819013015	Purchase of Goods or Services		(\$22.61)
TARGET T0229 TARGET T0229 TARGET T0229 TARGET T0229 Cypress, California United States	07-25- 2012	220722207205	Purchase of Goods or Services		(\$8.61)
CHEVRON 00308973 WESTMINSTER, California 92683 United States	07-25- 2012	220718653185	Purchase of Goods or Services		(\$20.04)
ROSS STORES #1280 ROSS STORES #1280 WESTMINSTER, California 926830000 United States	07-24- 2012	220618622636	Purchase of Goods or Services		(\$34.44)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	07-24- 2012	22061308	ATM Cash Withdrawal		(\$500.00)
CA EDD DEPOSIT	07-23- 2012	842858160428	ACH Load Credit	\$866.00	
Totals				\$1,732.00	(\$1,731.90)
Total Overdraft Fees					

Merchant Name	Posted Date	Reference Number	Transaction Details	Credit	Debit
SPRINT *WIRELESS 800-639-6111, Kansas 66251 United States	08-08-2012	222122000373	Purchase of Goods or Services		(\$168.19)
SHELL Service Station SHELL Service Station GARDEN GROVE, California 92845 United States	08-07-2012	222015054292	Purchase of Goods or Services		(\$16.12)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	08-07-2012	22205172	ATM Cash Withdrawal		(\$80.00)
BANK OF AMERICA *LAMPSON & VALLEY VIEW GARDEN GROVE, California United States	08-07-2012	22209940	ATM Cash Withdrawal		(\$600.00)
CA EDD DEPOSIT	08-06-2012	052268609941	ACH Load Credit	\$866.00	
LEE SANDWICHES WESTMINSTER, California 92683 United States	07-30-2012	221222900016	Purchase of Goods or Services		(\$7.81)
4 STAR CINEMAS GARDEN GROVE, California 92845 United States	07-30-2012	221124980002	Purchase of Goods or Services		(\$9.00)
4 STAR CINEMAS GARDEN GROVE, California 92845 United States	07-30-2012	221124980002	Purchase of Goods or Services		(\$8.00)
SHELL Service Station SHELL Service Station GARDEN GROVE, California 92845 United States	07-29-2012	221114593707	Purchase of Goods or Services		(\$4.41)
EXXONMOBIL POS EXXONMOBIL POS HUNTINGT, California 92647 United States	07-28-2012	221016644077	Purchase of Goods or Services		(\$6.64)
OC FAIR FOOD COSTA MESA, California 92626 United States	07-27-2012	220928980003	Purchase of Goods or Services		(\$12.50)
CHEVRON 00207378 HUNTINGTON BE, California 92649 United States	07-27-2012	220921220437	Purchase of Goods or Services		(\$25.06)
EL POLLO LOCO RESTAURANT CORONA, California 92880 United States	07-27-2012	220924100385	Purchase of Goods or Services		(\$8.18)



**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
WEST JUSTICE CENTER**

**MINUTE ORDER**

DATE: 08/28/2012

TIME: 01:30:00 PM

DEPT: W10

JUDICIAL OFFICER PRESIDING: Michael Beecher

CLERK: Ryan Castillo

REPORTER/ERM:

BAILIFF/COURT ATTENDANT: Carlos Soto

CASE NO: **30-2012-00551760-CL-UD-WJC** CASE INIT.DATE: 03/08/2012

CASE TITLE: **Roeloff vs. Logan**

CASE CATEGORY: Civil - Limited

CASE TYPE: Unlawful Detainer - Residential

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EVENT ID/DOCUMENT ID: 71548491,90748808

**EVENT TYPE:** Ex Parte

MOVING PARTY: Sharon Jean Logan

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other Staying eviction, 08/28/2012

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**APPEARANCES**

Alexander P Roeloff, self represented Plaintiff, present.

Sharon Jean Logan, self represented Defendant, present.

Sholeh Iravantachi, specially appearing for Plaintiff Alexander Roeloff.

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Ex-Parte application for an Order Staying eviction is requested by Defendant.

Ex-Parte Application is read and considered.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The motion for an order staying eviction is DENIED .

Clerk stamps date here when form is filed.

**Instructions**

- This form is only for providing proof that a document has been served (delivered) in a proceeding in the superior court appellate division.
- The person who serves (delivers) a document in this case and who fills out this form:
  - Must be at least 18 years old
  - Must NOT be a party in this case
- Before you fill out this form, read *What Is Proof of Service?* (form APP-109-INFO) to understand your responsibilities.

You fill in the name and street address of the court that issued the decision that is being challenged in this case:

Superior Court of California, County of Orange  
 8141 13th Street  
 Westminster, CA 92683  
 West Justice Center

You fill in the number and name of the trial court case in which the decision being challenged was issued:

**Trial Court Case Number:**

**Trial Court Case Name:**

You fill in the appellate division case number (if you know it):

**Appellate Division Case Number:**

① At the time I served the documents listed in ④, I was at least 18 years old.

② I am not a party in the case identified in the box on the right side of this page.

③ My  home  business address is: 92841  
 12131 Western Ave, Garden Grove CA  
Street City State Zip

④ I mailed or personally delivered the following document, as indicated below (check or fill in the name of the document you are serving and check and complete either a or b).

- Notice of Appeal/Cross Appeal (Limited Civil Case)
- Notice Designating Record on Appeal (Limited Civil Case)
- Proposed Statement on Appeal (  Limited Civil Case  Misdemeanor  Infraction)
- Appellant's Opening Brief
- Respondent's Brief
- Appellant's Reply Brief
- Abandonment of Appeal (Limited Civil Case)
- Petition for Writ (Misdemeanor, Infraction, or Limited Civil Case)
- Other (write in the name of the document):

a.  Service by Mail

(1) I put one copy of the document identified in ④ in an envelope addressed to each person listed in (2), sealed the envelope, and put first-class postage on the envelope.

Appellate Division Case Name: Logan vs Superior Court  
(Alex Rocio)

(2) The envelope or envelopes were addressed as follows:

(a) Name of person served: Alex Rocio  
Address on envelope: 4665 Ironwood Ave Seal Beach GA 90740  
Street City State Zip

(b) Name of person served: \_\_\_\_\_  
Address on envelope: \_\_\_\_\_  
Street City State Zip

Check here if you mailed copies of the document identified in (4) to more people. Attach a separate page listing the names and addresses on each additional envelope you mailed. Write "APP-109, Item 4a" on the top of the page.

(3) I mailed the envelope or envelopes on (date): 08-28-2012 from (city, state): Seal Beach GA by depositing the envelope or envelopes (check one):

- (a)  With the U.S. Postal Service or
- (b)  At an office or business mail drop where I know the mail is picked up every day and deposited with the U.S. Postal Service.

b.  Service by Personal Delivery

I personally gave one copy of the document identified in (4) to each of the following people:

(1) (a) Name of person served: \_\_\_\_\_  
(b) Address where you gave the documents to this person: \_\_\_\_\_  
Street

(c) Date when you gave the documents to this person: \_\_\_\_\_  
(d) Time when you gave the documents to this person: \_\_\_\_\_  
City State Zip

(2) (a) Name of person served: \_\_\_\_\_  
(b) Address where you gave the documents to this person: \_\_\_\_\_  
Street

(c) Date when you gave the documents to this person: \_\_\_\_\_  
(d) Time when you gave the documents to this person: \_\_\_\_\_  
City State Zip

Check here if you gave copies of the document identified in (4) to more people. Attach a separate page listing the names of each of these people, the address where you gave each of them the document, and the date and time you gave them the document. Write "APP-109, Item 4b" on the top of the page.

(5) I declare under penalty of perjury under California state law that the information above is true and correct.

Date: 08-28-2012

LISA Senecal  
Type or print server's name

Lisa Senecal  
Server signs here after serving