DE-125
PROBATE (JUICIO TESTAMENTARIO)

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY *(SOLO PARA USO DE LA CORTE)*

NOTICE TO: ***(Aviso a)***

FROM: ***(De)***

ESTATE OF: ***(Herencia de)***

A court proceeding has been started which may affect your interests in the estate. Read the document delivered with this *Summons.*

You have *30 CALENDAR DAYS* after this summons is served on you to file at this court a typewritten response if you want to be heard by the court.

A letter or phone call will not protect you. Your typewritten response must be in proper legal form if you want the court to consider it.

If you do not file your response on time, you may lose your right to participate in the proceeding or present your evidence. You will not receive another warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book) .

La corte ha comenzado a tramitar una acción judicial testamentaria que puede afectar sus intereses sucesorios. Lea el documento enviado con esta citación judicial.

Después de que le entreguen esta citación usted tiene un plazo de* 30 DIAS CALENDARIOS *para presentar en esta corte una respuesta escrita a máquina, si desea una audiencia ante la corte.

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte considere su caso.

Si usted no presenta su respuesta a tiempo, puede perder su derecho a participar en el proceso juicial o a presentar sus pruebas. Usted no recibirá notificación adicional por parte de la corte.

Existen otros requisitos legales. Es posible que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

The name and address of the COURT is: *(El nombre y dirección de la CORTE es)*

CASE NUMBER *(Número del caso):*

The name, address, and telephone number of the filing party's attorney, or the party without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del accionante, o del accionante que no tiene abogado, es)

DATE: *(Fecha)*

Clerk, by _____, Deputy
(Actuario) *(Delegado)*

(SEAL)

NOTICE TO THE PERSON SERVED: You are served

a. ☐ as an individual.

b. ☐ on behalf of *(specify)*:

under: ☐ Code Civ. Proc., § 416.10 (corporation)
☐ Code Civ. Proc., § 416.20 (defunct corporation)
☐ Code Civ. Proc., § 416.40 (association or partnership)
☐ Code Civ. Proc., § 416.60 (minor)
☐ Code Civ. Proc., § 416.70 (conservatee)
☐ Code Civ. Proc., § 416.90 (individual)
☐ other *(specify)*:

c. ☐ by personal delivery on *(date)*:

(Proof of Service on reverse)

Form Approved by the Judicial Council of California DE-125 [Rev. January 1, 1998]

SUMMONS (Probate)

Probate Code, §§ 8250, 8271

ESTATE OF *(Name)*: DECEDENT	CASE NUMBER:

PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this action, and **I served copies** of the *(specify documents):*

2. a. Party served *(specify name of party as shown on the documents served):*

   b. Person served: ☐ party in item 2a ☐ other *(specify name and title or relationship to the party named in item 2a):*

   c. Address:

3. I served the party named in item 2
   a. ☐ **by personally delivering** the copies (1) on *(date)*: (2) at *(time)*:
   b. ☐ **by leaving** the copies with or in the presence of *(name and title or relationship to person indicated in item 2b)*:
      (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person served. I informed him or her of the general nature of the papers.
      (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.
      (3) on *(date)*: (4) at *(time)*:
      (5) ☐ A **declaration of diligence** is attached. *(Substituted service on natural person, minor, conservatee, or candidate.)*
   c. ☐ **by mailing** the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid,
      (1) on *(date)*: (2) from *(city)*:
      (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me (attach completed form).
      (4) ☐ to an address outside California with return receipt requested. *(Attach completed form.)*
   d. ☐ **by causing copies to be mailed**. A declaration of mailing is attached.
   e. ☐ **other** *(specify other manner of service and authorizing code section)*:

4. The "Notice to the Person Served" (on the *Summons*) was completed as follows:
   a. ☐ as an individual defendant.
   b. ☐ as the person sued under the fictitious name of *(specify):*
   c. ☐ on behalf of *(specify):*
   under: ☐ Code Civ. Proc., § 416.10 (corporation)
   ☐ Code Civ. Proc., § 416.20 (defunct corporation)
   ☐ Code Civ. Proc., § 416.40 (association or partnership)
   ☐ Code Civ. Proc., § 416.60 (minor)
   ☐ Code Civ. Proc., § 416.70 (conservatee)
   ☐ Code Civ. Proc., § 416.90 (individual)
   ☐ other *(specify)*:

5. **Person serving** *(name, address, and telephone number)*:
   a. **Fee** for service $:
   b. ☐ Not a registered California process server.
   c. ☐ Exempt from registration under Business & Professions Code, § 22350(b).
   d. ☐ Registered California process server.
      (1) ☐ Employee or independent contractor
      (2) Registration No. *(specify):*
      (3) County *(specify):*
      (4) Expiration *(date)*:

6. ☐ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
7. ☐ **I am a California sheriff or marshal** and I certify that the foregoing is true and correct.

Date:

▶ _____
(SIGNATURE)

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