

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
**Jonathan Herschel Bornstein (SBN 163392)**  
**Bornstein & Bornstein Law Group**  
**2701 Telegraph Avenue, Suite 200**  
**Oakland, CA 94612-1715**  
 TELEPHONE NO.: (510) 901-0010 FAX No. (Optional): (510) 560-3590  
 E-MAIL ADDRESS (Optional): jonathan@bornsteinlaw.com  
 ATTORNEY FOR (Name): Oak Grove Apartments

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **Contra Costa**  
 STREET ADDRESS: **1000 Center Drive**  
 MAILING ADDRESS: **Same**  
 CITY AND ZIP CODE: **Pittsburg, CA 94565**  
 BRANCH NAME: **Amason Justice Center**

PLAINTIFF: **Oak Grove Apartments**  
 DEFENDANT: **Enrique Stacruz, Chary Dangate**

REQUEST  COUNTER-REQUEST  
 TO SET CASE FOR TRIAL - UNLAWFUL DETAINER  
 Plaintiff  Defendant

CASE NUMBER:  
**PS23-0553**


- Plaintiff's request. I represent to the court that all parties have been served with process and have appeared or have had a default or dismissal entered against them. I request that this case be set for trial.
- Trial preference.** The premises concerning this case are located at (street address, apartment number, city, zip code, and county):  
**1050 Oak Grove Road, Unit 27 Concord CA 94518 Contra Costa**
  - To the best of my knowledge, the right to possession of the premises is still in issue. This case is entitled to legal preference under Code of Civil Procedure section 1179a.
  - To the best of my knowledge, the right to possession of the premises is no longer in issue. No defendant or other person is in possession of the premises.
- Jury or nonjury trial.** I request  a jury trial  a nonjury trial.
- Estimated length of trial.** I estimate that the trial will take (check one):
  - days (specify number):
  - hours (specify if estimated trial is less than one day): **1.00**
- Trial date.** I am not available on the following dates (specify dates and reasons for unavailability):

**UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400-6415)**

- (Complete in all cases.) An unlawful detainer assistant  did not  did for compensation give advice or assistance with this form. (If declarant has received any help or advice for pay from an unlawful detainer assistant, complete a-f.)
  - Assistant's name:
  - Street address, city, and zip code:
  - Telephone no.:
  - County of registration:
  - Registration no.:
  - Expires on (date):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
 Date: **7/24/2023**

**Jonathan Herschel Bornstein (SBN 163392)**  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- An unlawful detainer case must be set for trial on a date not later than **20 days** after the first request to set the case for trial is made (Code Civ. Proc., § 1170.5(a)).
- If a jury is requested, \$150 must be deposited with the court 5 days before trial (Code Civ. Proc., § 631).
- Court reporter and interpreter services vary. Check with the court for availability of services and fees charged.
- If you cannot pay the court fees and costs, you may apply for a fee waiver. Ask the court clerk for a fee waiver form.

PLAINTIFF: Oak Grove Apartments

DEFENDANT: Enrique Stacruz, Chary Dangate

CASE NUMBER:  
PS23-0553

**PROOF OF SERVICE BY MAIL**

**Instructions:** After having the parties served by mail with the Request/Counter-Request to Set Case for Trial - Unlawful Detainer, (form UD-150), have the person who mailed the form UD-150 complete this Proof of Service by Mail. An unsigned copy of the Proof of Service by Mail should be completed and served with form UD-150. Give the Request/Counter-Request to Set Case for Trial - Unlawful Detainer (form UD-150) and the completed Proof of Service by Mail to the clerk for filing. If you are representing yourself, someone else must mail these papers and sign the Proof of Service by Mail.

1. I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is (specify) :  
2701 Telegraph Avenue, Suite 200, Oakland, CA 94612-1715
3. I served the Request/Counter-Request to Set Case for Trial - Unlawful Detainer (form UD-150) by enclosing a copy in an envelope addressed to each person whose name and address are shown below AND
  - a.  depositing the sealed envelope in the United States mail on the date and at the place shown in item 3c with the postage fully prepaid.
  - b.  placing the envelope for collection and mailing on the date and at the place shown in item 3c following ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
  - c. (1) Date mailed: 7/24/2023  
(2) Place mailed (city and state): Oakland, California

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

Date: 7/24/2023

Thais Gomez

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON WHO MAILED FORM UD-150)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

Name

Address (number, street, city, and zip code)

4.	Enrique Stacruz	1050 Oak Grove Road, Unit 27 Concord CA 94518
5.	Chary Dangate	1050 Oak Grove Road, Unit 27 Concord CA 94518
6.		
7.		
8.		
9.		

List of names and addresses continued on a separate attachment or form MC-025, titled Attachment to Proof of Service by Mail.

**REQUEST/COUNTER-REQUEST TO SET CASE  
FOR TRIAL - UNLAWFUL DETAINER**

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JD-150 [New January 1, 2005]

CEB Essential  
Forms

Superior Court of California, Contra Costa County

UD - Martinez-Wakefield Taylor Courthouse  
725 Court Street  
Martinez CA 94553  
925-608-1000  
[www.cc-courts.org](http://www.cc-courts.org)



K. Bieker  
Court Executive Officer

Enrique Stacruz  
1050 Oak Grove Road Unit 27  
Concord CA 94518

NOTICE OF HEARING		
<b>CASE NAME:</b> OAK GROVE APARTMENTS VS. ENRIQUE STACRUZ		<b>CASE NUMBER:</b> PS23-0553
YOU ARE HEREBY NOTIFIED THAT THE ABOVE-ENTITLED CASE HAS BEEN SET FOR A COURT TRIAL HEARING REQUEST TO SET COURT TRIAL FILED		
ALL PARTIES OR THEIR COUNSEL ARE ORDERED TO APPEAR		
<b>HEARING DATE:</b> 08/11/2023	<b>HEARING TIME:</b> 1:30 PM	<b>HEARING LOCATION:</b> DEPARTMENT 57 725 COURT ST RM 102 MARTINEZ, CA 94553
YOU ARE REQUESTED TO ADVISE THE COURT CLERK'S OFFICE OF ANY COUNSEL OF RECORD WHOSE NAME DOES NOT APPEAR BELOW OR ANY ATTACHED NOTICE.		
<p><del>DOES 1 TO 10 INCLUSIVE</del>  <del>NO KNOWN ADDRESS</del>            CHARY DANGATE            1050 OAK GOVE ROAD UNIT 27            CONCORD CA 94518            ENRIQUE STACRUZ            1050 OAK GROVE ROAD UNIT 27            CONCORD CA 94518            JONATHAN HERSCHEL BORNSTEIN            2701 TELEGRAPH AVENUE            SUITE 200            OAKLAND CA 94612</p>		

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY

I DECLARE UNDER PENALTY OF PERJURY THAT I AM NOT A PARTY TO THE WITHIN ACTION OR PROCEEDING; THAT ON THE DATE BELOW INDICATED, I SERVED A COPY OF THE FOREGOING NOTICE BY DEPOSITING SAID COPY ENCLOSED IN A SEALED ENVELOPE WITH POSTAGE THEREON FULLY PREPAID IN THE UNITED STATES MAIL AT MARTINEZ, CA AS INDICATED ABOVE.

DATE: 7/27/2023

R. Miller

BY: R. MILLER DEPUTY CLERK

Superior Court of California, Contra Costa County

UD - Martinez-Wakefield Taylor Courthouse  
725 Court Street  
Martinez CA 94553  
925-608-1000  
www.cc-courts.org



K. Bieker  
Court Executive Officer

Chary Dangate  
1050 Oak Gove Road Unit 27  
Concord CA 94518

NOTICE OF HEARING		
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R. Miller

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