ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address and state bar number)	FOR COURT USE ONLY	
TELEPHONE NO		
TELEPHONE NO: FAX NO.:		
E-MAIL ADDRESS: ATTORNEY FOR:		
SUPERIOR COURT OF CALIFORNIA COUNTY OF MERCED	1	
STREET ADDRESS: 2260 N STREET		
MAILING ADDRESS: 627 WEST 21 ST STREET		
CITY AND ZIP CODE: MERCED, CA 95340		
BRANCH NAME:	1	
PETITIONER		
RESPONDENT:		
NEOF ORDER 1.		
OTHER PARENT		
EX PARTE APPLICATION FOR SERVICE BY POSTING AND ORDER	CASE NUMBER	
THEREON (CCP 413.30)		
APPLICATION		
Petitioner hereby applies ex-parte for an order pursuant to Code of Civil Procedure § 413.30 directing that the		
☐ Petition/Summons ☐ Request for Order ☐ Reissuance in the above entitled by mailing said documents to Respondent's last known address and (2) by		
Application in the FAMILY LAW COURT, located at the address stated above.	posting said documents along with this	
Typhoduon in the 17 time 1 extra 6 contr, location at the address stated above.		
DECLARATION		
I, the Petitioner, declare that the following facts are true (check all that apply):		
1. I am the petitioner in the above-entitled case.		
2. I have a valid Order for Waiver of Fees and Costs on file in this case.		
 3. I am unable to afford the cost of publication of the SUMMONS. 4. I have been unable to locate the Respondent after using reasonable dilige 	nce by conducting the following	
investigations:	nee by conditioning the femouring	
a. I went to Respondent's last known address and s/he no longer lives the	ere. No one at that address knows	
where s/he lives now.		
b.		
c. I examined the records of the Merced County Tax Assessor and Respondent is not listed as a property owner.		
 I contacted the Department of Motor Vehicles using Form INF 1129 and no address for Respondent was discovered 		
e. I have spoken to Respondent's friends and none of them know where s/he lives.		
f. Other efforts (specify):		
The last time I saw Respondent was (date and location)		
6. I understand that if I am advised of the whereabouts of the Respondent	prior to the Default (or Hearing Date if	
on a Request for Order) I must have the Respondent personally served		
for Order, or Reissuance.	· ·	
I declare under penalty of perjury under the laws of the state of California that the	foregoing is true.	
Date:		
Date:		
PETITIONER'S NAME (PRINT) SIGNATURE OF PETIT	ONER	
(Continued on reverse)		
· ·		

MEMORANDUM OF POINTS AND AUTHORITIES

The court may direct that a summons be served in any manner which is reasonably calculated to give actual notice to the other party.

Code of Civil Procedure § 413.30 states: "Where no provision is made in this chapter or other law for the service of summons. The court in which the action is pending may direct that the summons be served in a manner which is reasonably calculated to give actual notice to the party served and that proof of such service be made as prescribed by the court."

Cohen v. Board of Supervisors for the County of Alameda (1971) 20 Cal.App.3d 236 held that indigents in marital cases were entitled to access to courts by waiver of costs and also to provision for service of process. In Cohen, plaintiffs lacked funds to pay for service by publication, which was required because their spouses could not be found for personal service. The court, following Boddie v. Connecticut (1971) 401 U.S. 371, 382 stated that service by mail at the party's last known address and posted notice "is equally effective as publication in a newspaper. The court's finding relied on CCP § 413.30 because law makes no provision if publication is practically impossible.

§ 413.30 because law makes no provision if publication is practically impossible.

In the present case, Petitioner is indigent and has been unable to locate Respondent in order to effect personal service.

Date:	Respectfully submitted,	
PETITIONER'S NAME (PRINT)	SIGNATURE OF PETITIONER	
ORDER		
MOTION IS DENIED	BECAUSE	
	EARING THEREFOR IT IS SO ORDERED. Service shall be deemed effective twenty-eight (28) OR ORDER are posted in the Clerk's office.	
PETITIONER MUST HAVE ORDER OR REISSUANCE HEARING DATE.	RESPONDENT PERSONALLY SERVED WITH THE SUMMONS/PETITION, REQUEST FOR IF RESPONDENT'S WHEREABOUTS BECOME KNOWN PRIOR TO THE DEFAULT OR	
Date:		
	Judicial Officer	
CLERK'S PROOF	OF SERVICE OF SUMMONS AND PETITION BY POSTING (CCP 413.30)	
I, the undersigned, declare	; :	
1. I am an employee of the Superior Court of California County of Merced, and not a party to this action.		
2. On REISSUANCE in a conspic California.	I personally posted the □SUMMONS/PETITION □ REQUEST FOR ORDER cuous place at the Superior Court Department 6, located at, 2260 N Street, Merced,	
I declare under penalty of	perjury that the foregoing is true.	
	Linda Romero Soles, Court Executive Officer	
Date:	By: Deputy Clerk	