

PETITIONER: RESPONDENT: OTHER PARTY:	CASE NUMBER:
--	--------------

**DECLARATION IN SUPPORT OF MOTION TO CANCEL (SET ASIDE) JUDGMENT OF PARENTAGE**

*(Attach a copy of this declaration for each child for whom relief is requested.)*

1. The orders requested are for the following child. The legal name, home address, date of birth, and county of residence are *(specify if known, write "unknown" if unknown)*:

- |                         |                   |
|-------------------------|-------------------|
| a. Child's name:        | d. Date of birth: |
| b. Address:             |                   |
| c. County of residence: |                   |

2. The name, mailing address, and county of residence, or, if deceased, the date and place of death, of the following persons are *(if unknown, write "unknown")*:

**a. Previously Established Father**

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**b. Previously Established Mother**

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**c. Genetic Father**             Same as above

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**d. Genetic Mother**             Same as above

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**e. Guardian of the child**

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**f. Person with primary physical custody of the child**

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**g. Guardian ad litem of the child**

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

**h. Other (specify):**

Name:  
 Address:  
 County of residence:  
 Deceased     Date of death:  
 Place of death:

3. In support of this request, I declare:

- a. I believe the previously established parent is not the genetic parent of the child. The specific reasons for this belief are *(specify)*:

included in the attached page(s).

PETITIONER: RESPONDENT: OTHER PARTY:	CASE NUMBER:
--	--------------

3. b. There  is  is not another judgment of parentage in a different case for the same previously established parent and child. The other court case is *(specify case number, state, and county of court)*:

A copy of the other judgment  is  is not attached. *(If not attached, explain why.)*

c. Other *(specify)*:

**COMPLETE THIS SECTION ONLY IF THERE IS A VOLUNTARY DECLARATION OF PARENTAGE OR PATERNITY**

4.  The previously established parent has signed a voluntary declaration of parentage or paternity for the child involved.

a. A copy of the voluntary declaration  is  is not attached. *(If not attached, explain why not.)*

b.  A court order was entered based on the voluntary declaration of parentage or paternity on *(date)*: \_\_\_\_\_, in case number *(specify)*: \_\_\_\_\_.

c.  The voluntary declaration of parentage or paternity should be canceled (set aside) because of *(check all that apply)*:

- (1)  Fraud (I was kept in ignorance of the true facts by another person.)
- (2)  Duress (I was threatened or mentally coerced into signing the declaration.)
- (3)  Material mistake of fact (I thought the facts were different from what they really are.)

*The following reasons apply only to voluntary declarations filed before January 1, 2020 or if you did not sign the declaration.*

- (4)  My mistake, inadvertence, surprise, or excusable neglect
- (5)  Other *(specify)*:

d.  The voluntary declaration of parentage or paternity is void (invalid) because *(specify)*:

e. Explain the facts that support your request:

Contained in the attached declaration.

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

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)

 \_\_\_\_\_ (SIGNATURE OF PARTY MAKING REQUEST)

