

1 Sarina Ann Nelson  
2 P.O. Box 1045  
3 4081 County Road 203  
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5 Telephone (530)354-6212

6 Defendant In Pro Per

7 SUPERIOR COURT OF CALIFORNIA  
8 COUNTY OF GLENN – WILLOWS COURTHOUSE

9 DEUTSCHE BANK NATIONAL TRUST )  
10 COMPANY, AS TRUSTEE OF THE )  
11 INDYMAC IMSC MORTGAGE, its assignees )  
12 and/or successors in interest, )

13 Plaintiff,

14 vs.

15 SARINA ANN NELSON

16 Defendant

Case No.: 10NUD00320

DEMURRER OF SARINA ANN NELSON  
TO THE UNLAWFUL DETAINER  
COMPLAINT OF DEUTSCHE BANK  
NATIONAL TRUST COMPANY, AS  
TRUSTEE OF THE INDYMAC IMSC  
MORTGAGE CO.

17 Defendant demur to the Complaint on the following grounds:

18 Defendant will, and hereby does, demur to Plaintiff DEUTSCHE BANK NATIONAL  
19 TRUST COMPANY, AS TRUSTEE OF THE INDYMAC IMSC MORTGAGE CO. Unlawful Detainer  
20 Complaint on the following grounds:

- 21 1. Defendant Demurrer on Judicially-Noticeable Wrongful Foreclosure
- 22 2. Plaintiff DEUTSCHE BANK NATIONAL TRUST COMPANY (DBNTC) does not  
23 have the **legal capacity** to sue pursuant to Code of Civil Procedure §  
24 430.10(b) .
- 25 3. Since Plaintiff lacks **standing** to commence an unlawful detainer  
26 action against Defendants as it fails the "real party in interest"  
27 requirement, "the pleading does not state facts sufficient to  
28

Demurrer of Sarina Ann Nelson

1 constitute a cause of action" on behalf of the proper specific  
2 plaintiff pursuant to Code of Civil Procedure § 430.10(e).

3 This Demurrer is made pursuant to the provisions of Code Civil  
4 Procedure §§ 430.10(b) and 430.10(e), and is based upon this Notice;  
5 the attached Memorandum of Points and Authorities; and such further  
6 evidence and argument the Court may consider at hearing.

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12  
13 **Dated:** \_\_\_\_\_

14  
15 \_\_\_\_\_  
16 **Sarina Ann Nelson, *In Pro Per***