# 6-30/700.00 Appeal on Order Determining Claim of Exemption

## • 6-30/710.00 Earnings Withholding Order

An order denying a claim of exemption is appealable by the judgment debtor. An appeal by the judgment creditor does not stay the order from taking effect. (CCP 706.105(j))

## • 6-30/720.00 Direct Deposit Social Security Payment

If the court determines that all or part of the excess funds are exempt. The transfer or release shall be effected within three business days of the receipt of the certified copy of the court order by the financial institution. (CCP 704.080(e)(6))

If the judgment debtor claims an exemption of the excess funds, the normal appeal procedures apply. refer to 6-30/730.00 Other Property.

## • 6-30/730.00 All Other Property

Except as otherwise provided by statute or ordered by the court, the levying officer shall not release, sell, or otherwise dispose of the property for which an exemption is claimed until an appeal is waived, the time to file an appeal has expired, or the exemption is finally determined. (CCP 706.610(a))

## • 6-30/740.00 Appeal Period

A Notice of appeal for an unlimited civil cases must be filed in court on or before the earliest of:

- 60 days after the superior court clerk serves on the party filing the notice of appeal a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, showing the date either was served (CRC 8.104(A))
- 60 days after the party filing the notice of appeal serves or is served by a party with a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, accompanied by proof of service (CRC 8.104(B))
- 180 days after entry of judgment (CRC 8.104(C))

A Notice of appeal for a limited civil cases must be filed in court on or before the earliest of:

- 30 days after the trial court clerk serves the party filing the notice of appeal a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, showing the date it was served (CRC 8.822(A))
- 30 days after the party filing the notice of appeal serves or is served by a party with a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, accompanied by proof of service (CRC 8.822(B))
- 90 days after the entry of judgment (CRC 8.822(C))