

COMPLAINT FOR CONVERSION (THEFT)

Sample Only
Use At Your Own Risk



INSTRUCTIONS: The following is a “cause of action” to be inserted after the heading of the complaint and common allegations. Include as many other causes of action as you have claims such as fraud, accounting, etc. Your “prayer” (request for relief) comes after your causes of action and must describe the relief you are seeking for each cause of action.

FIRST CAUSE OF ACTION

(For Conversion Against ____)

<>. Defendant __, __ is __, and at all times herein mentioned was __, a resident __ of the City of __, County of __, State of California.

<>. Defendant __, __, is __, and at all times herein mentioned, was __ a Corporation organized and existing under the laws of the State of California with principle offices located at __, in the City of __, County of __.

<>. Plaintiff __ is __ ignorant of the true names and capacities of defendants sued herein as DOES I through X, inclusive, and therefore sues __ these defendants by such fictitious names. Plaintiff __ will amend this complaint to allege their true names and capacities when ascertained.

<>. Plaintiff __ is __ informed and believes __ and thereon alleges __ that, at all times herein mentioned, each of the defendants sued herein was the agent and employee of each of the remaining defendants and was at all times acting within the purpose and scope of such agency and employment.

<>. At all times herein mentioned, and in particular on or about ____, 19 ____, plaintiff __ was __, and still is __[--- entitled to the possession of the following personal property, namely: _____

<>. On or about ____, 19____, and at _____, California, the above-mentioned property had a value of \$_____.

<>. On or about ____, 19____, defendant _____[----took the above-mentioned property from plaintiff's possession and converted the same to ____ own use.

[----OPTIONAL: WHERE LAWFULLY ACQUIRED----]

<>. On or about ____, 19____, plaintiff____ demanded the immediate return of the above-mentioned property but defendant____ failed and refused, and continues____ to fail and refuse, to return the property to plaintiff____. A copy of plaintiff____ written demand for return of the property is attached hereto as Exhibit _____ and made a part hereof.

**[---OPTIONAL IF SEEKING ALTERNATIVE
DAMAGES UNDER CC 3336-----]**

<>. As a proximate result of defendant's____ conversion, plaintiff suffered the following damages which are the natural, reasonable, and proximate results of the conversion: _____, all to plaintiff's____ damage in the sum of \$_____.

[----CONTINUE-----]

<>. Between the time of defendant's____ conversion of the above-mentioned property to ____ own use and the filing of this action plaintiff____ expended the following time and money in pursuit of the converted property, all to plaintiff's____ further damage in the sum of \$_____.

<>. The aforementioned acts of defendant___ were___ wilful, wanton, malicious, and oppressive, were undertaken with the intent to defraud, and justify the awarding of exemplary and punitive damages in the amount of \$_____.

WHEREFORE, plaintiff__ pray__ judgment against defendant__ and each of them, as follows:

<>. For the value of the property converted in the sum of \$_____;

<>. For interest at the legal rate on the foregoing sum pursuant to Section 3336 of the Civil Code, from and after _____, 19____;

[----<>. For damages for the proximate and foreseeable loss resulting from defendant's conversion in the sum of \$_____;-----]

[-----<>. For damages for time and money properly expended in pursuit of the converted property in the sum of _____;-----]

[-----<>. For punitive and exemplary damages in the sum of _____;-----]

<>. For costs of suit herein incurred; and

<>. For such other and further relief as the court may deem proper.

Date: _____

[Plaintiff's name]
Plaintiff *In Pro Per*

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