

# COMPLAINT FOR EJECTMENT

## \*\*\*\*\* Important Information \*\*\*\*\*

### When should this form be used?

- Ejectment is used to remove a person or persons who occupy your real property with you, and incorrectly claim title to that property.
- The property must be located within Flagler County.
- The individual(s) occupying the property are not tenants.
- The action is filed in Circuit Court. See ejectment forms for more details.

Ejectments typically involve situations where there may be some underlying dispute related to the occupants position that they have some sort of legal right or title to the real property.

If your situation does not meet these criteria, ejectment may not be the appropriate action, and you should review the information on eviction and unlawful detainer. CONTACT AN ATTORNEY with any questions. This does not constitute legal advice.

Ejectment is a circuit court lawsuit filed pursuant to Florida Statute Chapter 66, to request that another person leave your property when they incorrectly claim title to that property.

**READ** ALL OF THE INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THE FORMS AND SUBMITTING THEM FOR FILING.

**DO NOT SIGN** ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK SIGNATURE UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK.

**RETAIN COPIES** OF ALL FORMS FILED FOR YOUR OWN RECORDS.

**DOCUMENTS MUST BE LEGIBLE**, TYPEWRITTEN OR LEGIBLY HANDWRITTEN IN BLACK OR BLUE INK.

### **FILING FEE:**

**\$400.00**

**Summons issuance fee: \$10.00 per summons.**

Payable by cash/personal check/cashiers check/certified check/money order/ credit card (MasterCard, or Visa)

**IN ADDITION to the above-mentioned filing fee and summons issuance fee**, the Flagler County Sheriff's Department charges a \$40 fee to serve each defendant.

**It is important to remember that a delay can occur as a result of any errors on your paperwork, or if the proper fees are not submitted.**

# FILING CHECKLIST

## Step One (File case with Clerk)

**To file an Ejectment case, you may file the following forms along with the filing fee and any service fees, if applicable, with the Clerk's office.**

- Complaint for Ejectment **with** a chain of title attached  
(1) Original filed with the Clerk and (1) copy for each Defendant to be served
- Civil Cover Sheet
- Affidavit of Military Status
- Summons  
(1) Original and (1) copy for each Defendant to be served

## Step Two (Obtain Judgment)

**20 days after service on the Defendant(s) and the Defendant(s):**

**DID NOT respond, you may file the following forms:**

- Motion for Clerk's Default
- Motion for Default Final Judgment
- Final Judgment for Ejectment  
(1) Original and (1) copy for each Plaintiff AND Defendant and pre-addressed stamped envelope for each party as well

**OR**

**DID respond, you may file the following forms:**

- Notice of Hearing  
(It is your responsibility to contact the Judicial Assistant for the Judge that is assigned to your case, to set a hearing date. Once you have set your hearing, complete this form and make copies. File the original, and submit a copy to the Defendant(s).)
- Final Judgment  
(Bring the Final Judgment and (1) copy for each Plaintiff AND Defendant to the hearing and (1) pre-addressed stamped envelope for each party as well

**If the judge grants your complaint, a Final Judgment will be signed.**

## **Step Three** **(Obtain Writ of Possession)**

**If the Defendant(s) refuses to leave the property after the Final Judgment has been signed, you may file a Writ of Possession and have it issued by the Clerk, allowing the sheriff's department to remove them from the property.**

- Writ of Possession

Submit along with a check or money order for \$90.00 made out to the Flagler County Sheriff's Office

## **Additional Forms**

- Disclosure from Nonlawyer, if applicable

This form is for your records and should only be used if a nonlawyer assists you in completing any forms. The nonlawyer must complete this form and both of you are to sign it before the nonlawyer assists you in completing any forms.

- Notice of Voluntary Dismissal

If you decide not to proceed with your case prior to a judgment being entered, you should file a Notice of Voluntary Dismissal.

**THIS DOES NOT CONSTITUTE LEGAL ADVICE. Civil court information and forms provided by the Flagler County Clerk of Circuit Court should be considered informational only, and may not be applicable to every situation. The information is not intended to be used as legal advice. Specific guidance as to how to proceed with filing or answering a lawsuit and questions about your particular situation should be directed to a qualified attorney.**

# Quick Reference Guide To Completing Forms Prior To Filing

## **Complaint for Ejectment from Real Estate (Form #1)**

- Fill in parties' names in the space provided (the Plaintiff is the party initiating this action and the Defendant is the party against whom the case is initiated).
- Read each line and fill in the appropriate response.
- Date and sign in the space provided and print or type your name, address and telephone number.
- Attach a chain of title to the complaint. A *chain of title* is a record of successive conveyances, or other forms of alienation, affecting a particular parcel of land, arranged consecutively, from the government or original source of title down to the present holder. "Chain of Title." Black's Law Dictionary. 6th ed. 1990.

## **Civil Cover Sheet (Form #2)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Select "Other Real Property Actions" under Real Property/Mortgage Foreclosure for the appropriate money amount.
- Check the appropriate box to indicate whether a jury is being demanded in the complaint.
- Date and sign the cover sheet.

## **Nonmilitary Affidavit (Form #3)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Read each line and select and/or fill in the appropriate response.
- **Date and sign in the presence of a Notary Public or Deputy Clerk.**

## **Summons: Personal Service on an Individual (Form #4)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Provide the name and address of the party being served (Defendant).
- Provide the name and address of the serving party (Plaintiff).
- Once completed the **Clerk** will date and sign for issuance.

## **Motion for Clerk's Default (Form #5)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Fill in the name of the party a default will be entered against (Defendant).
- Sign in the space provided and print or type your name, address and telephone number.
- Once completed the **Clerk** will date, sign and seal for issuance.

### **Notice of Hearing (Form #6)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Read each line and fill in the appropriate response with the hearing information obtained from the judge's assistant.
- Provide the name and address of the party being served, select the type of service used and the date it was perfected.
- Sign in the space provided and print or type your name, address and telephone number.

### **Motion for Default Final Judgment (Form #7)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Fill in the name of the party you are requesting a default against (Defendant).
- Fill in the date of the default entered by the Clerk, if available.
- Sign in the space provided and print or type your name, address and telephone number.

### **Final Judgment for Ejectment (Form #8)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Read each line and fill in the appropriate response.
- Fill in the name and addresses of all parties that will receive a copy.
- Once completed, the **Judge** will sign and date this form.

### **Writ of Possession (Form #9)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Complete the property description
- Fill in the name of the party receiving possession (Plaintiff).
- Once completed the **Clerk** will date, sign and seal for issuance.

### **Disclosure from Nonlawyer (Form #10)**

- Read each line and select and/or fill in the appropriate response.
- Both persons should sign in the space provided

### **Notice of Voluntary Dismissal (Form #11)**

- Fill in names of Plaintiff(s) and Defendant(s).
- Fill in the name of the person dismissing the action (Plaintiff).  
Provide the name and address of the party being served, select the type of service used and the date it was perfected.
- Sign in the space provided and print or type your name, address and telephone number.

**IN THE CIRCUIT COURT  
SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case number: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

vs.

\_\_\_\_\_  
Defendant(s)

**COMPLAINT FOR EJECTMENT FROM REAL ESTATE**

COMES NOW, the Plaintiff(s), \_\_\_\_\_, sues  
Defendant(s), \_\_\_\_\_ and states as follows:

1. This is an action to recover possession of real property located in Flagler County, Florida.
2. The Defendant(s) is in possession of the following real property in the County:

\_\_\_\_\_  
(Describe property, i.e. address or legal description)  
to which Plaintiff(s) claims title as shown by the attached statement of Plaintiff's chain of title.

3. Defendant(s) refuses to deliver possession of the property to Plaintiff(s) or pay Plaintiff(s) the profits from it.

**Note: A statement of Plaintiff's chain of title must be attached.**

**WHEREFORE** Plaintiff(s) demands judgment for possession of the property and damages against Defendant(s).

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

\_\_\_\_\_  
Signature of Plaintiff(s)

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

**CIRCUIT COURT, FLAGLER COUNTY, FLORIDA**  
**CIVIL DIVISION**  
**CIVIL COVER SHEET**

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form shall be filed by the plaintiff or petitioner for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075. (See instructions for completion.)

**I. CASE STYLE**

Plaintiff

Case #:

Judge:

vs.

Defendant

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**II. TYPE OF CASE** (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x in both the main category and subcategory boxes.

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- Condominium
- Contracts and indebtedness
- Eminent domain
- Auto negligence
- Negligence—other
  - Business governance
  - Business torts
  - Environmental/Toxic tort
  - Third party indemnification
  - Construction defect
  - Mass tort
  - Negligent security
  - Nursing home negligence
  - Premises liability—commercial
  - Premises liability—residential
- Products liability
- Real property/Mortgage foreclosure
  - Commercial foreclosure \$0 - \$50,000
  - Commercial foreclosure \$50,001 - \$249,999
  - Commercial foreclosure \$250,000 or more
  - Homestead residential foreclosure \$0 - \$50,000
  - Homestead residential foreclosure \$50,001-\$249,999
  - Homestead residential foreclosure \$250,000 or more
  - Non-homestead residential foreclosure \$0 - \$50,000
  - Non-homestead residential foreclosure \$50,001 - \$249,999
  - Non-homestead residential foreclosure \$250,000 or more
  - Other real property actions \$0 - \$50,000
- Other real property actions \$50,001 - \$249,999
- Other real property actions \$250,000 or more
- Professional malpractice
  - Malpractice—business
  - Malpractice—medical
  - Malpractice—other professional
- Other
  - Antitrust/Trade regulation
  - Business transactions
  - Constitutional challenge—statute or ordinance
  - Corporate trusts
  - Discrimination—employment or other
  - Insurance claims
  - Intellectual property
  - Libel/Slander
  - Shareholder derivative action
  - Trade secrets
  - Trust litigation

**III. REMEDIES SOUGHT** (check all that apply):

- monetary;
- nonmonetary declaratory or injunctive relief;
- punitive

**IV. NUMBER OF CAUSES OF ACTION:** [ ]

(specify)

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**V. IS THIS CASE A CLASS ACTION LAWSUIT?**

- yes
- no

**VI. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?**

- no
- yes If "yes," list all related cases by name, case number, and court.

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**VII. IS JURY TRIAL DEMANDED IN COMPLAINT?**

- yes
- no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature \_\_\_\_\_  
Attorney or party

Fla Bar # \_\_\_\_\_  
(Bar # if attorney)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
Date

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET

Plaintiff must file this cover sheet with first paperwork filed in the action or proceeding (except small claims cases or other county court cases, probate, or family cases). Domestic and juvenile cases should be accompanied by a completed Florida Family Law Rules of Procedure Form 12.928, Cover Sheet for Family Court Cases. Failure to file a civil cover sheet in any civil case other than those excepted above may result in sanctions.

**I. Case Style.** Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of plaintiff(s) and defendant(s).

**II. Type of Case.** Place an "X" in the appropriate box. If the cause fits more than one type of case, select the most definitive. If the most definitive label is a subcategory (indented under a broader category label), place an "X" in the category and subcategory boxes. Definitions of the cases are provided below in the order they appear on the form.

- (A) Condominium - all civil lawsuits pursuant to Chapter 718, Florida Statutes, in which a condominium association is a party.
- (B) Contracts and indebtedness - all contract actions relating to promissory notes and other debts, including those arising from the sale of goods, but excluding contract disputes involving condominium associations.
- (C) Eminent domain - all matters relating to the taking of private property for public use, including inverse condemnation by state agencies, political subdivisions, or public service corporations.
- (D) Auto negligence - all matters arising out of a party's allegedly negligent operation of a motor vehicle.
- (E) Negligence—other - all actions sounding in negligence, including statutory claims for relief on account of death or injury, that are not included in other main categories.
- (F) Business governance - all matters relating to the management, administration, or control of a company.
- (G) Business torts - all matters relating to liability for economic loss allegedly caused by interference with economic or business relationships.
- (H) Environmental/Toxic tort - all matters relating to claims that violations of environmental regulatory provisions or exposure to a chemical caused injury or disease.
- (I) Third party indemnification - all matters relating to liability transferred to a third party in a financial relationship.
- (J) Construction defect - all civil lawsuits in which damage or injury was allegedly caused by defects in the construction of a structure.
- (K) Mass tort - all matters relating to a civil action involving numerous plaintiffs against one or more defendants.
- (L) Negligent security - all matters involving injury to a person or property allegedly resulting from insufficient security.
- (M) Nursing home negligence - all matters involving injury to a nursing home resident resulting from negligence of nursing home staff or facilities.
- (N) Premises liability—commercial - all matters involving injury to a person or property allegedly resulting from a defect on the premises of a commercial property.
- (O) Premises liability—residential - all matters involving injury to a person or property allegedly resulting from a defect on the premises of a residential property.
- (P) Products liability - all matters involving injury to a person or property allegedly resulting from the manufacture or sale of a defective product or from a failure to warn.
- (Q) Real property/Mortgage foreclosure - all matters relating to the possession, title, or boundaries of real property. All matters involving foreclosures or sales of real property, including foreclosures associated with condominium associations or condominium units.
- (R) Commercial foreclosure - all matters relating to the termination of a business owner's interest in commercial property by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property. Check the category that includes the estimate of the amount in controversy of the claim (section 28.241, Florida Statutes).

- (S) Homestead residential foreclosure - all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has been granted a homestead exemption. Check the category that includes the estimate of the amount in controversy of the claim (section 28.241, Florida Statutes). (Form 1.997 Civil Rules of Procedure 1/2010)
- (T) Non-homestead residential foreclosure - all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has not been granted a homestead exemption. Check the category that includes the estimate of the amount in controversy of the claim (section 28.241, Florida Statutes).
- (U) Other real property actions - all matters relating to land, land improvements, or property rights not involving commercial or residential foreclosure. Check the category that includes the estimate of the amount in controversy of the claim (section 28.241, Florida Statutes).
- (V) Professional malpractice - all professional malpractice lawsuits.
- (W) Malpractice—business - all matters relating to a business's or business person's failure to exercise the degree of care and skill that someone in the same line of work would use under similar circumstances.
- (X) Malpractice—medical - all matters relating to a doctor's failure to exercise the degree of care and skill that a physician or surgeon of the same medical specialty would use under similar circumstances.
- (Y) Malpractice—other professional - all matters relating to negligence of those other than medical or business professionals.
- (Z) Other - all civil matters not included in other categories.
- (AA) Antitrust/Trade regulation - all matters relating to unfair methods of competition or unfair or deceptive business acts or practices.
- (AB) Business transactions - all matters relating to actions that affect financial or economic interests.
- (AC) Constitutional challenge—statute or ordinance - a challenge to a statute or ordinance, citing a violation of the Florida Constitution.
- (AD) Constitutional challenge—proposed amendment - a challenge to a legislatively initiated proposed constitutional amendment, but excluding challenges to a citizen-initiated proposed constitutional amendment because the Florida Supreme Court has direct jurisdiction of such challenges.
- (AE) Corporate trusts - all matters relating to the business activities of financial services companies or banks acting in a fiduciary capacity for investors.
- (AF) Discrimination—employment or other – all matters relating to discrimination, including employment, sex, race, age, handicap, harassment, retaliation, or wages.
- (AG) Insurance claims - all matters relating to claims filed with an insurance company.
- (AH) Intellectual property – all matters relating to intangible rights protecting commercially valuable products of the human intellect.
- (AI) Libel/Slander – all matters relating to written, visual, oral, or aural defamation of character.
- (AJ) Shareholder derivative action – all matters relating to actions by a corporation's shareholders to protect and benefit all shareholders against corporate management for improper management.
- (AK) Securities litigation – all matters relating to the financial interest or instruments of a company or corporation.
- (AL) Trade secrets – all matters relating to a formula, process, device, or other business information that is kept confidential to maintain an advantage over competitors.
- (AM) Trust litigation – all civil matters involving guardianships, estates, or trusts and not appropriately filed in probate proceedings.

**III. Remedies Sought.** Place an "X" in the appropriate box. If more than one remedy is sought in the complaint or petition, check all that apply.

**IV. Number of Causes of Action.** If the complaint or petition alleges more than one cause of action, note the number and the name of the cause of action.

**V. Class Action.** Place an "X" in the appropriate box.

**VI. Related Cases.** Place an "X" in the appropriate box.

**VII. Is Jury Trial Demanded In Complaint?** Check the appropriate box to indicate whether a jury trial is being demanded in the complaint

**ATTORNEY OR PARTY SIGNATURE.** Sign the civil cover sheet. Print legibly the name of the person signing the civil cover sheet. Attorneys must include a Florida Bar number. Insert the date the civil cover sheet is signed. Signature is a certification that the filer has provided accurate information on the civil cover sheet.

**IN THE CIRCUIT COURT  
SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case number: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

vs. \_\_\_\_\_

Defendant(s)

**NONMILITARY AFFIDAVIT**

On this day personally appeared before me, the undersigned authority, \_\_\_\_\_  
who, after being first duly sworn, says:

Defendant, \_\_\_\_\_, is known by Affiant not to be in the military  
service or any governmental agency or branch subject to the provisions of the Soldiers' and  
Sailors' Civil Relief Act.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone No. \_\_\_\_\_

Sworn and subscribed before me on \_\_\_\_\_ [date],  
by \_\_\_\_\_ [name], who \_\_\_\_\_ is personally known to me \_\_\_\_\_ produced  
\_\_\_\_\_ [document] as identification and who took an oath.

\_\_\_\_\_  
DEPUTY CLERK or NOTARY PUBLIC-  
STATE OF FLORIDA

Name: \_\_\_\_\_

Commission No. \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

I CERTIFY that I \_\_\_\_\_ mailed, \_\_\_\_\_ faxed and mailed, or \_\_\_\_\_ hand delivered a copy of this  
motion and attached affidavit to the Defendant at \_\_\_\_\_

\_\_\_\_\_  
[insert address at which Tenant was served and fax number if sent by fax].

Name \_\_\_\_\_

Address \_\_\_\_\_

Fax No. \_\_\_\_\_

This form was completed

with the assistance of:

Name:

Address:

Telephone number

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA

CASE NUMBER:

\_\_\_\_\_  
Plaintiff(s)

Vs

\_\_\_\_\_  
Defendant(s)

SUMMONS

YOU ARE HEREBY COMMANDED to serve this summons and a copy of the complaint or petition in the above-styled case upon the defendant:

Defendant \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

Each defendant is hereby required to serve written defenses to said complaint or petition on Plaintiff

Plaintiff \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

Within twenty days after service of this summons upon the Defendant, exclusive of the day of service, and to file the original of said written defenses with the Clerk of Court, 1769 E Moody Blvd, Bldg 1, Bunnell, FL 32110 either before service on Plaintiff or immediately thereafter. If the Defendant fails to do so, a default will be entered against the defendant for the relief demanded in the complaint or petition.

WITNESS my hand and seal of said Court on this \_\_\_\_\_ of \_\_\_\_\_.

TOM BEXLEY  
CLERK OF CIRCUIT COURT & COMPTROLLER

(COURT SEAL)

BY: \_\_\_\_\_  
Deputy Clerk

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint with the clerk of this court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

Usted ha sido demandado legalmente. Tiene veinte (20) días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podría perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, usted puede consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presente su respuesta ante el tribunal, usted debe enviar por correo o entregar una copia de su respuesta a la persona denominada abajo.

**AVISO:** La regla 12.285, de las reglas de procedimiento del derecho de la familia del estado de la Florida exige que se entreguen ciertos datos y documentos a la parte adversa. Si Ud. no cumple con estos requisitos, se le podrán aplicar sanciones, las cuales pueden dar lugar al rechazo o a la desestimación de sus escritos.

#### **IMPORTANT**

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie au carbone ou une photocopie de votre réponse écrite à la personne nommée ci-dessous.

**ATTENTION:** La règle 12.285 des règles de procédure du droit de la famille de la Floride exige que l'on remette certains renseignements et certains documents à la partie adverse. Tout refus de les fournir pourra donner lieu à des sanctions, y compris le rejet ou la suppression d'un ou de plusieurs actes de procédure.



**REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES** If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6096, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the appearance is less than 7 days; if you are hearing or voice impaired, call 711.

**THESE ARE NOT COURT INFORMATION NUMBERS**



**SOLICITUD DE ADAPTACIONES PARA PERSONAS CON DISCAPACIDADES**

Si usted es una persona con discapacidad que necesita una adaptación para poder participar en este procedimiento, usted tiene el derecho a que se le proporcione cierta asistencia, sin incurrir en gastos. Comuníquese con la Oficina de Administración Judicial (Court Administration), 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6096, con no menos de 7 días de antelación de su cita de comparecencia ante el juez, o de inmediato al recibir esta notificación si la cita de comparecencia está dentro de un plazo menos de 7 días; si usted tiene una discapacidad del habla o del oído, llame al 711.

**ESTOS NUMEROS TELEFONICOS NO SON PARA OBTENER INFORMACION JUDICIAL**

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case no: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)  
vs.

\_\_\_\_\_  
Defendant(s)

**MOTION FOR CLERK'S DEFAULT**

Plaintiff(s) asks the clerk to enter a default against \_\_\_\_\_,  
Defendant(s), for failing to respond as required by law to Plaintiff's Complaint for Ejectment  
from Real Estate.

Signature of Plaintiff(s) \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**DEFAULT**

A default is entered in this action against the Defendant(s) for ejectment for failure to respond as  
required by law.

Tom Bexley  
Clerk of the Circuit Court & Comptroller  
1769 E Moody Blvd. Bldg 1 Bunnell,  
FL 32110

BY: \_\_\_\_\_  
DEPUTY CLERK

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)  
vs.

\_\_\_\_\_  
Defendant(s)

**NOTICE OF HEARING**

TO: Defendant(s): \_\_\_\_\_

There will be a hearing before Judge \_\_\_\_\_  
on {date} \_\_\_\_\_, at {time} \_\_\_\_\_, in Room \_\_\_\_\_  
of the Kim C Hammond Justice Center located at 1769 E Moody Blvd, Bldg 1, Bunnell, FL, on  
the following issues:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ hour(s)/ \_\_\_\_\_ minutes have been reserved for this hearing.

If this matter is resolved, the moving party shall contact the judge's office to cancel this hearing.

I certify that a copy of this document was [ one only] mailed \_\_\_\_\_, faxed \_\_\_\_\_ or hand delivered \_\_\_\_\_ to the person(s) listed below on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Defendant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Dated: \_\_\_\_\_

Signature of Plaintiff(s) \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone No: \_\_\_\_\_



**REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES** If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6096, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the appearance is less than 7 days; if you are hearing or voice impaired, call 711.

**THESE ARE NOT COURT INFORMATION NUMBERS**



**SOLICITUD DE ADAPTACIONES PARA PERSONAS CON DISCAPACIDADES**

Si usted es una persona con discapacidad que necesita una adaptación para poder participar en este procedimiento, usted tiene el derecho a que se le proporcione cierta asistencia, sin incurrir en gastos. Comuníquese con la Oficina de Administración Judicial (Court Administration), 125 E. Orange Ave., Ste. 300, Daytona Beach, FL 32114, (386) 257-6096, con no menos de 7 días de antelación de su cita de comparecencia ante el juez, o de inmediato al recibir esta notificación si la cita de comparecencia está dentro de un plazo menos de 7 días; si usted tiene una discapacidad del habla o del oído, llame al 711.

**ESTOS NUMEROS TELEFONICOS NO SON PARA OBTENER INFORMACION JUDICIAL**

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)  
vs.  
\_\_\_\_\_  
Defendant(s)

**MOTION FOR DEFAULT FINAL JUDGMENT - EJECTMENT**

Plaintiff(s) asks the court to enter a Default Final Judgment against \_\_\_\_\_,  
Defendant(s), for ejectment, and says:

1. Plaintiff(s) filed a Complaint for Ejectment from Real Estate against Defendant(s).
2. Defendant(s) has failed to timely file an answer and a Default has been entered by the Clerk of this Court on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

WHEREFORE, Plaintiff(s) asks this Court to enter a Final Judgment for Ejectment against the Defendant(s).

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

Signature of Plaintiff(s) \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

vs.

\_\_\_\_\_  
Defendant(s)

**FINAL JUDGMENT FOR EJECTMENT**

This cause having come before the Court on Complaint for Ejectment and it appearing that the Defendant(s) has been duly served with process, it is hereby:

**ORDERED AND ADJUDGED** that the Plaintiff(s), \_\_\_\_\_, do have and recover from the Defendant(s), \_\_\_\_\_, possession of the following premises located in Flagler County, Florida, to wit:

\_\_\_\_\_  
(Describe property, i.e. legal description)

The Clerk of Court shall issue the Writ of Possession for the aforesaid premises forthwith.

It is further **ORDERED AND ADJUDGED** that Plaintiff(s), \_\_\_\_\_, recover judgment against the Defendant(s), \_\_\_\_\_, costs in the amount of \$\_\_\_\_\_, for all of which let execution issue.

**DONE AND ORDERED** in Flagler County, Florida on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT COURT JUDGE

cc:  
Plaintiff \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Defendant \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

vs.

\_\_\_\_\_  
Defendant(s)

**WRIT OF POSSESSION**

THE STATE OF FLORIDA:

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE:

YOU ARE COMMANDED to remove Defendant(s) \_\_\_\_\_,  
from the following property in Flagler County, Florida:

\_\_\_\_\_  
(Describe property, i.e. address or legal description)

and to put Plaintiff(s), \_\_\_\_\_, in full possession thereof.

Witness my hand and seal of the Court on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Tom Bexley  
Clerk of the Circuit Court & Comptroller Kim C  
Hammond Justice Center  
1769 E Moody Blvd, Bldg 1 Bunnell FL  
32110  
(Seal)

BY: \_\_\_\_\_  
DEPUTY CLERK

Plaintiff \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone \_\_\_\_\_

## NONLAWYERS WHO ASSIST OTHERS IN COMPLETING FORMS

If a nonlawyer will help you in completing forms in this booklet, that person must provide you a copy of the disclosure on the bottom of this page before beginning. Both you and the nonlawyer helping you must sign the disclosure form. You should receive a copy to keep and the nonlawyer helping you should keep a copy. This disclaimer does not act as or constitute a waiver, disclaimer, or limitation of liability.

Anyone assisting you in completing these forms also must put their name, address, and telephone number on the bottom of the last page of the form. A space is provided on each form for this purpose.

### DISCLOSURE

\_\_\_\_\_ told me that he/she is not a lawyer and may not give legal advice or represent me in court.

\_\_\_\_\_ told me that he/she may only help me fill out a form approved by the Supreme Court of Florida. \_\_\_\_\_ may only help me by asking me questions to fill in the form. \_\_\_\_\_ may also tell me how to file the form. \_\_\_\_\_ told me that he/she is not an attorney and cannot tell me what my rights or remedies are or how to testify in court.

[ **only one**]

I can read English.

I cannot read English, but this disclosure was read to me [fill in **both** blanks] by

{Name} \_\_\_\_\_ in {Language} \_\_\_\_\_, which I understand.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR FLAGLER COUNTY, FLORIDA**

Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

vs.

\_\_\_\_\_  
Defendant(s)

**NOTICE OF VOLUNTARY DISMISSAL**

Plaintiff(s), \_\_\_\_\_, in the above styled cause hereby submit this Notice of Voluntary Dismissal as this cause has been settled between parties.

I certify that a copy of this document was [ **one** only] mailed \_\_\_\_\_ faxed \_\_\_\_\_ or hand delivered \_\_\_\_\_ to the person(s) listed below on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Defendant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Dated: \_\_\_\_\_

Signature of Plaintiff(s)

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone No: \_\_\_\_\_