

INSTRUCTIONS FOR FILING A DECLARATORY JUDGMENT

CLAIMS LESS THAN \$15,000.....\$300.00 FILING FEE
CLAIMS \$15,000-\$50,000.....\$400.00 FILING FEE

IN ADDITION TO FILING FEE

ISSUANCE OF SUMMONS.....\$10.00 PER DEFENDANT
COPIES.....\$0.15 PER PAGE
SHERIFFS SERVICE FEE.....\$40.00 PER DEFENDANT
(***THIS FEE IS FOR LEVY COUNTY SHERIFFS OFFICE ONLY. IF PARTIES RESIDE OUT OF LEVY
COUNTY IT IS YOUR RESPONSIBILITY TO CONTACT THE SHERIFFS OFFICE IN THAT
STATE/COUNTY***)

IMPORTANT – PLEASE READ

**IF NOT PROPERLY COMPLETED AND
PARTIES NOT PROPERLY SERVED, YOUR
CASE MAY BE DISMISSED OR YOU MAY
NOT OBTAIN YOUR FINAL JUDGMENT.**

A Declaratory Judgment establishes the rights and other legal relations of the parties without providing for enforcement. For example, if you purchased a vehicle or boat and cannot obtain the Certificate of Title from the previous owner, you would need to obtain a judgment declaring your ownership.

NOTE: Be sure to clearly PRINT your name and the Defendant(s) name in the Caption (top) of all of the enclosed documents. Also be sure the Case Number is written in the caption.

REQUIREMENTS TO FILE A CASE. You must be at least 18 years of age. You may be an individual, a person Doing Business As (d/b/a) or a corporation. A minor child must have a parent or legal guardian file on their behalf.

VENUE. Venue is in the County where the property is located.

JURISDICTION. This action must be brought in the court of competent jurisdiction based on the value of the property. If the amount of your claim is up to \$50,000, then jurisdiction would be in County Civil Court.

THIS PACKET IS NOT TO BE USED IF THE AMOUNT OF YOUR CLAIM IS OVER \$50,000, WHICH MUST BE FILED IN CIRCUIT COURT. THIS PACKET IS ONLY PREPARED FOR COUNTY COURT.

PROPER NAME AND ADDRESS OF DEFENDANT(S). Before filing your claim, you should make **sure** you have the proper name(s) and address(s) of the party(s) you want to sue.

If you are suing an individual, and if the spouse will be included in the suit, obtain the proper name and street address of the spouse. First names must be used and any alias names, if known. **Avoid using "Mr. and Mrs."**.

If you are suing a corporation, you must know the correct name of the corporation and the state in which it is incorporated. Obtain the name and address of an officer of the corporation: the president, vice president, etc...; or in the absence of any of these, the name and address of the business agent residing in this state; or the name of the resident agent transacting business for the corporation in this state. To find this information, you may write or call: SECRETARY OF STATE OF FLORIDA, Attn: Corporation Division, Tallahassee, Fl. 32304, (850) 488-9000, or locate them on the internet at <http://www.sunbiz.org> This information is needed for service on the corporation.

If you are suing a partnership, you will need to obtain the names and addresses of **all** of the partners.

Many individuals, partnerships, and corporations do business under a fictitious name, such as: Jim Jones d/b/a Baby World; Jim Jones, Joe Black, a partnership, d/b/a Jones & Black Construction; or XYZ, Incorporated, a Florida corporation, d/b/a Chicken Shack. You cannot sue a fictitious name because it is not an entity. You have the burden of investigating to determine whether individuals, partnerships, or a corporation are doing business under a fictitious name. This information may be determined by calling the Secretary of State, Division of Corporations, the Occupational License Section of the Tax Collector's Office, or the licensing department of the City or County where the principal place of business is located.

FILING YOUR CASE: please complete the enclosed forms and file them with the **Clerk of Court**. A filing fee must be paid to the Clerk of Court. Credit/Debit Cards are accepted but there is a fee.

Please complete the **COMPLAINT FOR DECLARATORY JUDGMENT** enclosed in this Packet and sign it in the presence of a Deputy Clerk or Notary Public. Be sure to attach any additional explanations, if necessary. **You will need to fully explain to the Court how you obtained ownership and possession of the property. Be Specific. You will also need to explain to the Court the reason you are entitled to ownership. Your explanation of the reason you are entitled to ownership of the property must be CLEAR AND CONVINCING.** If your complaint is based on an instrument of writing such as a Bill of Sale, it will be necessary for you to furnish a copy of such instrument for attachment as an exhibit.

The Defendant(s) will need Service of Process to be served by means of a Summons and a copy of the complaint and all accompanying documents, if any, by a Deputy Sheriff. See **INSTRUCTIONS FOR SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL** enclosed in this Packet. The Defendant(s) will have twenty (20) days from date of service of the Summons in which to file an Answer to the complaint. The Summons, included in this Packet, must be executed by the Clerk or a Deputy Clerk. If the whereabouts of the Defendant(s) are unknown, you may use **Constructive Service** provided you make an actual, diligent search to discover the location of, and provide notice to, the Defendant(s). See **INSTRUCTIONS FOR CONSTRUCTIVE SERVICE** enclosed in this Packet.

If the Defendant(s), after having Service of Process by either Summons or Constructive Service, has not responded to the complaint, you may file the **MOTION FOR DEFAULT** and **DEFAULT** included within this Packet with the Clerk of Court.

In addition, please complete and file the **MOTION FOR HEARING** enclosed in this Packet, and provide the Court with stamped envelopes addressed to you and the Defendant for mailing of Order Scheduling Hearing. The Court will set a hearing, which you will need to attend in order to obtain your final judgment.

*****NOTICE*****

ALL PAPERWORK PROVIDED BY THIS OFFICE IS USED FOR 'PRO SE' LITIGANTS ONLY. 'PRO SE' MEANS THAT YOU ARE ACTING AS YOUR OWN ATTORNEY. ACTING AS YOUR OWN ATTORNEY MAKES YOU RESPONSIBLE FOR EVERYTHING THAT INVOLVES YOUR CASE FILE. FOR EXAMPLE, IF YOU DO NOT RECEIVE A COURT DATE OR NOTICE FROM THE CLERK'S OFFICE OR THE JUDGE, IT IS UP TO YOU TO CONTACT THE JUDGE FOR A HEARING DATE.

VEHICLE OWNERSHIP INFORMATION SHEET

It is sometimes possible to obtain a declaratory judgment to assist you in obtaining a title for a vehicle you own but for which you did not receive a title at the time of purchase. The Court may issue an Order directing the Department of Highway Safety and Motor Vehicles to issue a certificate of title for your vehicle.

Before the Court will consider such an Order, you must take the following steps:

- 1) You must make a diligent search to locate the former owner to transfer title.
- 2) You must provide a bill of sale, cancelled check, letter, memorandum, or some means of providing your rights to ownership of the vehicle.
- 3) If the former owner has moved from the area without leaving a forwarding address you should mail a certified, return receipt requested letter demanding title to the vehicle to the former owner's last known address.
- 4) You must get a print out from the tag office which lists the last title number issued to this vehicle, to whom the title was issued and that there are no liens against the vehicle. (FORM ENCLOSED)
- 5) You must get a Motor Vehicle Identification Number Inspection Sheet from your county Sheriff's office, establishing that the vehicle has not been reported as stolen as per the Vehicle Identification Number (VIN).
- 6) You will be required to complete an affidavit for Vehicle Title Application and an Affidavit of Diligent Search and Inquiry. **Both documents must be notarized.** (FORMS ENCLOSED)
- 7) YOU MUST FILE YOUR COMPLETED PAPERWORK WITH THE CLERK OF THE CIRCUIT COURT. A FILING FEE IS REQUIRED.
- 8) AFTER YOU FILE YOUR PAPERWORK, YOUR CASE WILL BE FORWARDED TO THE COUNTY JUDGE'S OFFICE FOR CONSIDERATION.
- 9) FOR FURTHER INFORMATION CONTACT THE CLERK OF COURT (352) 486-5266 EXT 1257

If you have legal questions, please consult with an attorney or legal aid.

FORM 1.997 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 is required for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to Florida Statute 25.075.

I. CASE STYLE

IN THE COUNTY COURT IN AND FOR LEVY COUNTY, FLORIDA

Plaintiff (Name and Address)

vs.

CASE NO. _____

Defendant (Name and Address)

II. TYPE OF CASE (Place an x in one box only. If the case fits more than one type of case, select the most definitive.)

<u>Domestic Relations</u>	<u>Torts</u>	<u>Other Civil</u>
<input type="checkbox"/> Simplified dissolution	<input type="checkbox"/> Professional Malpractice	<input type="checkbox"/> Contracts
<input type="checkbox"/> Dissolution	<input type="checkbox"/> Products Liability	<input type="checkbox"/> Condominium
<input type="checkbox"/> Support – IV-D	<input type="checkbox"/> Auto negligence	<input type="checkbox"/> Real property/ Mortgage foreclosure
<input type="checkbox"/> Support – Non IV-D	<input type="checkbox"/> Other negligence	<input type="checkbox"/> Eminent Domain
<input type="checkbox"/> URESA – IV-D		<input checked="" type="checkbox"/> Other:
<input type="checkbox"/> URESA – Non IV-D		<u>Declaratory Judgment</u>
<input type="checkbox"/> Domestic Violence		<input type="checkbox"/> Eviction
<input type="checkbox"/> Other domestic relations		<input type="checkbox"/> Small Claims

III. Is Jury Trial Demanded in Complaint?

☐ Yes
☐ No

Date: _____

Plaintiff's signature/Signature of Plaintiff's Attorney

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 3.09

STANDING CASE MANAGEMENT ORDER IN COUNTY AND CIRCUIT CIVIL CASES

WHEREAS, AOSC20-23 (amendment 10) requires the chief judge of each judicial circuit to promulgate an administrative order adopting a formal case management protocol for civil cases; and

WHEREAS, AOSC20-23 (amendment 10) requires the Chief Judge to cause a case management order establishing certain deadlines to be served in every civil case, it is hereby

ORDERED:

1. The presiding judge in each civil case shall actively manage all civil cases and shall strictly comply with Florida Rule of Judicial Administration 2.545(a), (b) and (e).

2. This order does not apply to cases proceeding under the Small Claims Rules; to landlord/tenant actions; to actions for unlawful detainer; or to any action requiring summary procedure pursuant to section 51.011, Florida Statutes.

3. A system of differentiated case management shall be utilized in civil cases, which requires designation of each case as one of the following: complex, streamlined, or general.

4. Complex civil cases shall be so designated pursuant to the criteria in Florida Rule of Civil Procedure 1.201. Upon such designation, complex civil cases shall proceed as stated in that rule.

5. Factors to be considered by the trial judge in designating a case as streamlined shall include, but are not limited to, cases in which:

- (a) There are no more than two parties;
- (b) Issues of liability and damages are not complex;
- (c) Relatively few pretrial motions are anticipated;
- (d) The need for discovery is limited;
- (e) There are relatively few witnesses anticipated;
- (f) Documentary evidence is anticipated to be minimal;
- (g) The trial is anticipated to take no longer than two (2) days; or
- (h) the case is otherwise likely to resolve in less than twelve months.

6. Any case not specifically designated as complex or streamlined shall be categorized as general.

7. In each civil case, the standing civil case management order (attached hereto as Appendix A) shall be signed by the plaintiff and filed in the court file along with the complaint. The plaintiff shall cause the standing order to be served, along with the complaint, on each named defendant. The Clerk shall not accept a civil case for filing without submission of the signed standing order.

8. Deadlines established herein shall be strictly enforced. This order may be modified when the case is at issue by further order of the court.

ORDERED ON this 23 day of April 2021.



Mark W. Moseley, Chief Judge

IN THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA

STANDING CASE MANAGEMENT ORDER

[AOSC20-23]

THIS ACTION is before the court for case management pursuant to AOSC20-23 (Amendment 10). Therefore, it is **ADJUDGED** that:

1. This case is provisionally designated as a general civil case.
2. **TRIAL DATE**: The projected date for a non-jury trial shall be the first regular trial term taking place one year after the date of filing. The projected date for a jury trial shall be the first regular trial term taking place eighteen months after the date of filing. A firm trial date will be established by the presiding judge when the case is at issue. Trial term dates for each civil division are published on the Eighth Judicial Circuit Court website at <https://circuit8.org/court-calendars/master-calendars/>. In county court cases, any case redesignated by the trial court as a streamlined case, in cases where the parties request it, or in any other case the trial court deems it appropriate, the trial date may be adjusted to take place sooner. Judges shall apply a firm continuance policy allowing continuances only for good cause shown.
3. **SERVICE**: Unless otherwise extended by court order for good cause shown, service of complaints should be completed within 120 days of filing. Requests for the addition of new parties shall be filed within 180 days of filing.
4. **DISCOVERY**: Fact and expert discovery shall be completed 60 days prior to the trial date set forth above.
5. **PRETRIAL MOTIONS**: Objections to pleadings and pretrial motions shall be resolved a minimum of 30 days prior to the trial date set forth above. Prior to filing ANY motion, counsel

filing the motion shall confer with opposing counsel by telephone or in person in a good faith attempt to resolve the motion. The motion shall contain a good faith statement reflecting the date and time of the conference with opposing counsel. A statement that counsel attempted to confer with opposing counsel is insufficient unless the good faith statement details the date and time of at least three attempts to confer that occurred within the one-month period immediately prior to the filing of the motion.

6. **MEDIATION**: The parties shall conclude mediation at least 90 days prior to the trial date set forth above.

7. Deadlines established herein shall be strictly enforced. "Lawyers must strictly comply with Florida Rule of General Practice and Judicial Administration 2.545(a), which requires lawyers to conclude litigation as soon as it is reasonably and justly possible to do so, and the pandemic alone is not a basis for a lawyer's failure to prepare a case for trial or otherwise actively manage a case." This order may be modified at such time that the case is determined to be at issue. Fla. R. Civ. P. 1.440.

ORDERED in Alachua County, Florida, on April 23, 2021.



Mark W. Moseley, Chief Judge
on behalf of all presiding Eighth Circuit civil judges

I HEREBY CERTIFY that I have read and will comply with the foregoing standing order and shall cause it to be filed and served, contemporaneously with the complaint, on all named defendants.

Plaintiff or Plaintiff's Counsel

Date

IN THE COUNTY/CIRCUIT COURT OF THE _____ JUDICIAL
CIRCUIT IN AND FOR _____ COUNTY, FLORIDA

Plaintiff/ Petitioner/State

v.

Defendant/ Respondent

CASE NO: _____

DIVISION: _____

**DESIGNATION OF E-MAIL ADDRESS FOR A PARTY NOT
REPRESENTED BY AN ATTORNEY [FORM 2.602]**

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(C),
I, _____, designate the e-mail address(es) below for
electronic service of all documents related to this case.

By completing this form, I am authorizing the court, clerk of court, and all parties to send copies
of notices, orders, judgments, motions, pleadings, or other written communications to me by e-
mail or through the Florida Courts E-filing Portal.

I understand that I must keep the clerk's office and any opposing party or parties notified of my
current mailing address or e-mail address. I will file a written notice with the clerk if my mailing
address or e-mail address changes again.

Designated e-mail address: _____
Secondary designated e-mail address(es), if any: _____

I certify that a copy has been furnished on _____, by ☐ e-mail, delivery,
☐ mail [choose one] to: Clerk of Court for _____ County, and
to: _____

(insert name(s) and address(es))

Signature: _____

Printed Name: _____

E-mail address: _____

Address: _____

Phone number: _____

IN THE COUNTY COURT IN AND FOR LEVY COUNTY, FLORIDA

(Name and Address)
Plaintiff(s),

vs.

CASE NO. _____

(Name and Address)
Defendant(s).

_____/

STATEMENT OF RESPONSIBILITY
(Civil Case \$50,000 or less)

Before filing this case I have considered the following matters and acknowledge that:

1. This case is being filed in the County Court under the Summary Procedure Rules of Court; that it is considered a layman's court; that I, and the Defendant(s), may be represented by an attorney of our individual choice but neither is required to do so, and that the conduct of this case will be in accordance with the rules of procedure and laws of Florida which apply to this case.

2. The naming of proper parties is an important element of the case and the responsibility for naming the proper Plaintiff(s) and Defendant(s) in this case is mine.

3. I am responsible for the furnishing of a correct address or location at which the Defendant(s) can be served or given notice of this suit.

4. I assume responsibility as to my right to file this case for myself or for the named Plaintiff(s).

5. I do not expect the Clerk, who received and files this claim, to give me legal advice as to how to prosecute this case and acknowledge that the Clerk is not acting as my attorney or legal advisor.

6. I am solely responsible for the collection of any judgment entered in my favor.

Dated: _____

Signature

Address

Phone: _____

IN THE COUNTY COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

CASE NUMBER: _____

Petitioner

Mailing Address

Daytime Phone Number

Plaintiff(s),

VS.

Name/Last Known Address of person holding title

And

STATE OF FLORIDA DEPARTMENT OF HIGHWAY
SAFETY AND MOTOR VEHICLES,

Respondents

COMPLAINT FOR DECLARATORY JUDGMENT

Plaintiff(s), _____ under penalty of perjury, hereby states the following:

1. This is an action for Declaratory Judgment and other relief pursuant to Chapter 86, Florida Statutes.
2. Plaintiff is a resident of _____ County, and has so resided during all times material to this action.
3. Defendant(s), _____, whose last known address is _____ is the person or persons who must be sued because they are the last known owners of said property described in this action. Co-Defendant, State of Florida, Department of Highway Safety and Motor Vehicles, is an agency of the State of Florida with duly constituted, statutory authority for the issuance of license tags, identification numbers, plates and title certificates for vehicles, mobile homes, camper trailers, etc.
4. The property that is the subject of this Complaint is described as: _____, and is located in Levy County, Florida at the following address: _____.
5. On or about _____, Plaintiff obtained the property from _____

_____ by purchasing
said property for the amount of \$_____ (Attach Bill of Sale) .

If the Plaintiff did not purchase said property, please describe the transaction in which Plaintiff gained
ownership in said property:

_____.

6. Plaintiff intends to use said property for the purpose of:

_____.

7. Plaintiff has contacted the State of Florida Department of Highway Safety and Motor Vehicles and was
informed that a court of competent jurisdiction must determine ownership. (Attach copy of letter)

8. Plaintiff has taken certain steps to acquire a valid certificate of title : _____

_____ (Additional information may be attached).

9. Plaintiff will be unable to sell above described property without a certificate of title.

10. Plaintiff understands that if a court awards ownership to said property, the Plaintiff will be responsible for
making application and paying all fees in connection with said application to the State of Florida Department
of Highway Safety and Motor Vehicles or the Plaintiff's local tag office.

WHEREFORE, Plaintiff requests entry of a Declaratory Judgment declaring Plaintiff to be the true, sole owner of the
subject property described above and directs the State of Florida Department of Highway Safety and Motor Vehicles to
transfer said ownership to Plaintiff's name as listed above.

DATED _____, _____

Plaintiff's Signature

Plaintiff's Name

STATE OF FLORIDA

COUNTY OF _____

Sworn to or affirmed and signed before me on

_____ by _____

(Date)

(Name of Affiant)

☐ Personally Known

☐ Produced identification

Type of identification produced:

NOTARY PUBLIC/DEPUTY CLERK SIGNATURE

(Print or stamp commissioned name of notary)

DIVISION OF MOTORIST SERVICES

2900 Apalachee Parkway, Room B231, Mail Stop 57
Neil Kirkman Building - Tallahassee, FL 32399

MOTOR VEHICLE, VESSEL AND MOBILE HOME RECORDS REQUEST

FEES ARE REQUIRED AT TIME OF REQUEST AND ARE PAYABLE TO DIVISION OF MOTORIST SERVICES.

PLEASE ALLOW A 2-WEEK PROCESSING TIME FROM THE DATE WE RECEIVE THIS REQUEST.

Requester's Information:

Name of Requester _____ Date of Request _____ Reference # (Case/File Name) _____

Street Address _____ To receive personal information, provide the exemption number(s) above from the list on the back of this form . * If you request your own personal information, see note below. Email Address _____

City _____ State _____ Zip _____ Fax Number _____

Under penalty of perjury, I affirm that I am entitled to receive this information and understand that I may not redisclose this information, except as provided in section 119.0712(2), Florida Statutes, and the Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq.

Signature of Requester or Contact Person _____ Telephone Number _____

***NOTE: If requesting your own personal information you must sign this request.**

Type of Record Request: ☐ Motor Vehicle ☐ Vessel ☐ Mobile Home ☐ Last known address

☐ Certified Record Request (An additional \$3.00 is required per record)

(Records are available up to 10 years. You may attach a separate sheet for additional requests.)

CURRENT REGISTRATION REQUEST - \$.50 Each

VIN/HIN Number _____ Make _____ Year _____ Title Number _____ License Plate or FL # _____
☐ Current OR ☐ (as of): Month Day Year

TITLE RECORD REQUEST (By Vehicle/Vessel Identification Number or Title Number Only)

VIN/HIN Number _____ Title Number _____

☐ Title History Printout (lists owner(s) of vehicle) - **\$1.00**

☐ Specific Title Transaction - **\$1.00 Per Page**

(Month, Day and Year)

☐ Complete Title History (scanned Images)- **\$25.00**

We request \$25.00 as initial payment for each record. The fee is \$1 per page. If additional fees are required, we will contact you.

MOTOR VEHICLE RECORD REQUEST BY NAME AND PERSONAL INFORMATION - \$.50 Each

First _____ Middle _____ Last _____ Date of Birth _____ Driver License/ID number _____

DRIVER'S PRIVACY PROTECTION ACT EXEMPTIONS

Pursuant to section 119.0712(2), F. S., personal information in motor vehicle and driver license records can be released for the following purposes, as outlined in 18 United States Code, section 2721.

Personal information referred to in subsection (a) shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of titles I and IV of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and chapters 301, 305, and 321-331 of title 49, and, subject to subsection (a)(2), may be disclosed as follows:

1. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
2. For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.
3. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only -
 - (a) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and
 - (b) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
4. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.
5. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.
6. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
7. For use in providing notice to the owners of towed or impounded vehicles.
8. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
9. For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under chapter 313 of title 49.
10. For use in connection with the operation of private toll transportation facilities.
11. For any other use in response to requests for individual motor vehicle records if the State has obtained the express consent of the person to whom such personal information pertains.
12. For bulk distribution for surveys, marketing or solicitations if the State has obtained the express consent of the person to whom such personal information pertains.
13. For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
14. For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.

If you have questions or need additional information, please contact the Department's Customer Service Center at (850) 617-2000.

Visit our website: www.flhsmv.gov

IN THE COUNTY COURT, _____ JUDICIAL CIRCUIT IN
AND FOR _____ COUNTY, FLORIDA

CASE #: _____

AFFIDAVIT
VEHICLE TITLE APPLICATION

AFFIANT

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____

VEHICLE INFORMATION

Year: _____ Make: _____ Model: _____ Body: _____
Vehicle Title Number: _____ State of Issue: _____
Vehicle Identification Number (VIN): _____
Purchase Price: _____ Dollar Value : _____
Date of Purchase: _____ Do you owe any money on this vehicle? Yes No

* I have attached a letter from my county Sheriff's office, dated not more than 30 days from today's date, confirming that this vehicle has not been reported stolen.

PREVIOUS OWNER INFORMATION

I purchased this vehicle from: _____
Address: _____
City: _____ State: _____ Zip: _____

I did not receive the title at the time of purchase because: _____

I cannot receive the title at this time because: _____

I have conducted a diligent search in accordance with the attached Affidavit of Diligent Search.

Date: _____ Signature of Affiant: _____

STATE OF FLORIDA
COUNTY OF LEVY

Sworn to or affirmed and signed before me on
_____ by _____
(Date) (Name of Affiant)

Personally Known
Produced Identification
Type of Identification Produced:

NOTARY PUBLIC/DEPUTY CLERK SIGNATURE

(Print or stamp commissioned name of notary)

www.flhsmv.gov/offices/

(Completion of this part requires a physical inspection of the vehicle by the owner)

DATE: _____

This is to certify that I, the undersigned, am the lawful owner of the motor vehicle described on this form and that I have, on the date entered above, made a physical inspection of the motor vehicle and have recorded the vehicle identification number and other identification information and the odometer reading and certification in the spaces provided on this form.

Vehicle Identification Number	Year	Make	Color	Body	Previous State Vehicle Titled In
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WARNING: Federal and State law require that you state the mileage in connection with an application for a Certificate of Title. Failure to complete or providing a false statement may result in fines and/or imprisonment.

I/WE STATE THAT THIS 5 OR 6 DIGIT ODOMETER NOW READS ,.XX (NO TENTHS)

MILES, DATE READ _____/_____/_____ AND I/WE HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE
THE ODOMETER READING:

☐ 1. reflects ACTUAL MILEAGE. ☐ 2. is IN EXCESS OF ITS MECHANICAL LIMITS. ☐ 3. is NOT THE ACTUAL MILEAGE.

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

(Owner/ Purchaser Signature)

Printed name

(Seller's Signature)

Printed name

This section requires a physical inspection under the windshield and in the door jamb to verify the vehicle identification number (VIN) for the motor vehicle described in this form. If the motor vehicle was manufactured prior to 1955, the motor number must be verified. If the verification is performed by someone other than a Notary, the VIN verification can be performed by a Florida Licensed Dealer, Law Enforcement Officer, Military Police Officer, or Florida Compliance Examiner/Inspector (Division of Motorist Services/Tax Collector employee). Complete this section on all used motor vehicles, including trailers, (with abbreviation of "TL" with a weight of 2,000 pounds or more) not currently titled in Florida.

I, the undersigned, certify that I have physically inspected the above described vehicle and find the vehicle identification number under the windshield and in the door jamb to be identical to the vehicle identification number recorded on this form.

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

Date: _____

(Seal)

Commissioned Name of Florida Notary: _____ Notary's Signature: _____
(Print, Type or Stamp)

If other than a Notary, check the box below that applies, and sign and complete the corresponding fields. Verified by:

☐ Florida Compliance Examiner/
Inspector(DMS/TC Employee)☐ Military Police Officer/
Law Enforcement Officer☐ Florida Licensed Dealer

Signature: _____ Printed Name: _____

Florida Compliance Examiner/Inspector Name: _____ Badge or ID #: _____

Law Enforcement Agency Name: _____ LEO Badge #: _____

Florida Dealer Name: _____ Florida Dealer #: _____

◆ NOTICE: ANY ALTERATION OR ERASURE MAY VOID THIS DOCUMENT ◆

WHO IS AUTHORIZED TO COMPLETE THIS FORM?

ANY PERSON OR AUTHORIZED AGENT OF ANY PERSON REQUIRED TO MAKE APPLICATION FOR CERTIFICATE OF TITLE AND/OR REGISTRATION.

WHEN SHOULD THIS FORM BE COMPLETED?

ON ALL USED MOTOR VEHICLES, INCLUDING TRAILERS NOT CURRENTLY TITLED IN FLORIDA, WITH A NET WEIGHT OF 2,000 POUNDS OR MORE.

WHEN SHOULD THIS FORM NOT BE COMPLETED?

WHEN CERTIFICATE OF TITLE IS BEING APPLIED FOR ON ONE OF THE FOLLOWING:

1. NEW MOTOR VEHICLE, REGARDLESS OF WHETHER PURCHASED IN FLORIDA OR OUT OF-STATE
2. MOBILE HOME
3. TRAILER OR SEMITRAILER WITH A NET WEIGHT OF LESS THAN 2,000 POUNDS
4. TRAILER TYPE RECREATIONAL VEHICLE (TRAVEL TRAILERS AND CAMP TRAILERS)
5. OFF-HIGHWAY VEHICLE

Visit the following website for current mailing addresses <http://www.flhsmv.gov/offices/>

INSTRUCTIONS FOR SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL

When should this form be used?

This form should be used to obtain **personal service** on the Defendant when you begin your lawsuit. **Service** is required for **all** documents filed in your case. Service means giving a copy of the required papers to the other party using the procedure that the law requires. Generally, there are two ways to make service: (1) personal service, or (2) constructive service.

You will need to find out how much the sheriff charges to serve the papers. The fees to the Sheriff's Department must be paid separate from the filing fee and are paid directly to the Sheriff's Department. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff and deliver all of the paperwork and the fee to the sheriff yourself.

Personal service is required for the Complaint filed by you in this case. You cannot serve this paper on the Defendant yourself or by mail or by hand delivery. Personal service must be made by the Sheriff's Department in the county where the Defendant lives or works or by a private process server certified in the county where the Defendant lives or works.

In many counties, there are private process servers who, for a fee, will personally serve the summons and other documents that require personal service. You should look under **"process servers"** in the yellow pages of the telephone book for a list of private process servers in your area.

How do I start?

When you begin your lawsuit, you need to complete this form (summons). The forms should be typed or printed legibly in black ink. Next, you will need to take these forms and, if you have not already done so, **file** your Complaint with the **Clerk of Court** in the county where the property is located. You should keep a copy of the forms for your records. The Clerk will sign the summons, and then the summons, with a copy of the Complaint attached, must be delivered to the appropriate Sheriff's Department or to a private process service for service on the Defendant.

IF THE DEFENDANT CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA: If, after you have made diligent effort to locate the Defendant, you absolutely cannot locate the Defendant, you may serve the Defendant by publication. Service by publication is also known as **constructive service**. You may also be able to use constructive service if the other party does not live in Florida. See the **INSTRUCTIONS FOR CONSTRUCTIVE SERVICE** enclosed in this Packet.

**In the Circuit Court of the Eighth Judicial Circuit
In and For Levy County, Florida**

Plaintiff,
vs

Case No _____

Defendant,

**State of Florida
Department of Highway Safety and
Motor Vehicles,**

Defendant

**Summons:
Personal Service on a natural person**

State of Florida

To Defendants(s) _____

IMPORTANT

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). If you choose to file a written response yourself, at the same time you file your written response to the Court you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's Attorney named below.

Plaintiff/Plaintiff's Attorney

The State of Florida

To each Sheriff of the State: You are commanded to serve this Summons and a copy of the Complaint in this lawsuit on the above-named Defendant.

Danny J. Shipp
Clerk of Circuit Court

Dated on _____

By _____
As Deputy Clerk

Under the **Americans with Disabilities Act**, if you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled to be provided with certain assistance at no cost to you. Please contact the ADA Coordinator, Alachua County Family and Civil Justice Center, 201 East University Avenue, Gainesville, FL 32601 (**352-337-6237**) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice-impaired, call **1-800-955-8770** via **Florida Relay Service**.

If you are deaf or hard of hearing and require an ASL interpreter or an assisted listening device to participate in a proceeding, please contact:

Court Interpreting at **interpreter@circuit8.org**

IMPORTANTE

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 en dicho caso. 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, puede usted 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 presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney." (Demandante o Abogado del Demandante).

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 obligé 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 devrez 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 au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

INSTRUCTIONS FOR CONSTRUCTIVE SERVICE

When should this form be used?

This form may be used to obtain **constructive service** (also called service by publication) in a case if you do not know where the Defendant lives or if the Defendant lives outside Florida and you are unable to obtain **personal service**. However, if you use constructive service, the court may grant only limited relief because its jurisdiction is limited. This is a complicated area of the law and you may wish to consult an attorney before using constructive service.

You must also complete and file an **AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY**, which is included in this Packet. This form includes a checklist of places you can look for information on the location of the Defendant(s). While you do not have to look in all of these places, the Court must believe that you have made a very serious effort to get information about the Defendant(s) location and that you have followed up on any information you received.

You should also complete and file a **NOTICE OF ACTION** with the Clerk for their execution of same. After the Clerk has signed this form, you must deliver it to a qualified local newspaper to be published for four (4) consecutive weeks. When in doubt, ask the Clerk which newspapers in your area are “qualified”. The newspaper will charge you for this service.

Be sure to keep copies of the Affidavit of Diligent Search and Inquiry and Notice of Action for your records.

Special notes...

If the Defendant fails to respond to your Complaint within the time limit stated in the Notice of Action that is published, you are entitled to request a **default**. See **INSTRUCTIONS FOR MOTION FOR DEFAULT AND DEFAULT** enclosed in this Packet.

IN THE COUNTY COURT, _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

IN RE: THE MATTER OF

CASE NO.: _____

AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

I, (full legal name) _____, being sworn, certify that the following information is true:

1. I have made a diligent search and inquiry to discover the name and current residence of

Specify details of search. Identify all action taken (any additional information included such as the date the action was taken and the person with whom you spoke is helpful; attach additional sheet if necessary):

(Check all actions taken)

- ☐ United States Post Office inquiry through Freedom of Information Act, current address or any relocation.
- ☐ Last known employment of prior owner, including name and address of employer.

- ☐ Regulatory agencies, including professional or occupational licensing.
- ☐ Name and address of relatives and contacts with those relatives, and inquiry as to prior owner's last known address. (You are to follow any leads of any addresses where prior owner may have moved. Relatives included but are not limited to parents, brothers, sisters, aunts, uncles, cousins, nieces, nephews, grandparents, great-grandparents, former in-laws, stepparents, stepchildren.

- ☐ Information about prior owner's possible death, and if deceased, the date and location of the death.

- ☐ Telephone listings in the last known locations of prior owner's residence.
- ☐ Internet searches such as people finder
- ☐ Law enforcement arrest and/or criminal records in the last known residential area of prior owner.

☐ Personally Known

☐ Produced identification

Type of identification produced _____

IN THE COUNTY COURT IN AND FOR LEVY COUNTY, FLORIDA

Plaintiff,

vs.

CASE NO. _____

Defendant.

NOTICE OF ACTION

TO: _____

YOU ARE NOTIFIED that an action for establishment of ownership of personal property described as: _____

_____ has been filed against you and you are required to serve a copy of your written defenses, if any, to it on Plaintiff, _____, whose address is: _____, on or before _____, 20____, and file the original with the Clerk of this Court immediately thereafter; otherwise a Default will be entered against you for the relief demanded in the Complaint.

DATED on _____.

DANNY J. SHIPP
Clerk of the Court

By: _____
Deputy Clerk

INSTRUCTIONS FOR MOTION FOR DEFAULT and DEFAULT

When should these forms be used?

If the Defendant has failed to **file** or **serve** any documents within the 20 days after the date of service of your complaint by **Summons** or by the date shown in the **Notice of Action** you may ask the **Clerk of Court** to enter a **default** against him or her by filling out this form and filing it with the Court. Generally, a default allows you to obtain an earlier **final hearing** to finish your case. Once the default is signed by the Clerk, you can request the Clerk to submit the entire case to the Judge.

To obtain a default, you will need to complete **MOTION FOR DEFAULT**. You will then need to file your motion for default along with the **DEFAULT** so that the Clerk can enter a default for you if your motion is proper.

This form should be typed or printed in black ink. After completing this form, you should file the original with the **Clerk of Court** in the county where you filed your complaint and keep a copy for your records.

What should I do next?

Please complete and file the enclosed **MOTION FOR HEARING** with the Clerk of Court who will present your motion to the Court for scheduling of hearing. Please submit stamped envelopes addressed to you and the Defendant(s) for mailing of Order Scheduling Hearing by the Court.

IN THE COUNTY COURT IN AND FOR LEVY COUNTY, FLORIDA

Plaintiff,

vs.

CASE NO. _____

Defendant.

MOTION FOR DEFAULT

TO THE CLERK OF THE COURT:

**PLEASE ENTER A DEFAULT AGAINST DEFENDANT(S) WHO HAS
FAILED TO RESPOND TO THE COMPLAINT.**

I certify that a copy of this document was [**X one** only] () mailed () faxed
and mailed () hand delivered to the Defendant on _____.

Dated: _____

Signature of Plaintiff

Address

Phone: _____

DEFAULT

A default is entered in this action against Defendant(s) for failure to serve or file a
response or any paper as required by law.

Dated: _____

DANNY J. SHIPP
Clerk of Court

(SEAL)

By: _____
Deputy Clerk

IN THE COUNTY COURT IN AND FOR LEVY COUNTY, FLORIDA

_____,
Plaintiff,

vs.

CASE NO. _____

_____,
Defendant.

_____/

MOTION FOR HEARING

Plaintiff(s), _____,
files(s) this motion for hearing and allege(s):

1. Plaintiff(s) has filed a Complaint for Declaratory Judgment with this Court.
2. That Plaintiff(s) are entitled to a hearing on this matter because: (check **one** only):

____ a. The Defendant(s) have been served by Service of Process and have failed to file a written response and a default has been entered against him/her.

____ b. The Defendant(s) have been served by Service of Process and have responded and the matter is now at issued.

WHEREFORE, Plaintiff(s) ask(s) this court to set a hearing in this matter.

Signed this _____ day of _____, 20____.

Plaintiff's signature

Plaintiff's Name and Address

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the Defendant(s), _____
at _____
this _____ day of _____, 20____, by U. S. Mail.

Plaintiff