

# Residential Eviction Forms and Information

Angelina Coloneso  
Clerk of Circuit Court  
Manatee County Courthouse  
1115 Manatee Avenue West  
Bradenton, FL 34205

Mailing Address:  
P. O. Box 25400  
Bradenton, FL 34206

Phone Number: (941) 741-4022

Website: [www.ManateeClerk.com](http://www.ManateeClerk.com)

THIS PACKET IS FOR POSSESSION OF PROPERTY  
ONLY – NO MONEY DAMAGES

NO REFUNDS

## NOTICE

*This information and these forms are made available only as a courtesy of Angelina Colonnese, Clerk of Circuit Court, and are not intended to take the place of an attorney. The Clerk's Office cannot answer legal questions. If you have any questions after reading this information, please contact an attorney.*

You may visit the Manatee County Law Library located at 1051 Manatee Ave West, Bradenton FL on the First Floor of the Judicial Center.

Florida Statute Chapter 83 governs the eviction practice and procedures.

### **Guidelines for Residential Eviction - Non-Payment of Rent**

**Please note: This information and these forms are applicable for residential evictions only**

Chapter 83 of Florida Statutes provides the steps to follow in an eviction case. The following information is provided to inform you as to what documents must be filed and the costs involved in a simple eviction case.

The filing fee, payable to the Clerk of Court, can be found at manateeclerk.com under "Fee Schedule". Payment may be in the form of cash, personal check, Visa, MasterCard or Discover credit card with proper identification.

Enclosed in this packet you will find the basic forms necessary for eviction for non-payment of rent. This is to enable you to regain possession of the property only and does not provide for payment of back rent owed to you.

### **Step One: Prepare and Serve Three-Day Notice**

Before filing a Complaint to recover possession, a landlord must serve a Three-Day Notice demanding payment of rent or possession of the premises within three (3) days (excluding Saturday, Sunday, and legal holidays) after the date of delivery of notice. Service may be by certified mail, leaving a copy on the premises, or hand delivery. After the expiration time on the service of the Three-Day Notice you may proceed with filing the Complaint for Eviction.

### **Step Two: File Complaint**

The landlord shall file the original Complaint and sufficient copies of Complaint for each tenant with the Clerk. The Court must also receive a copy of the Three-Day Notice and a copy of the lease, if one exists. You must also attach a copy of the notice and lease to each copy of the Complaint. The Complaint must be signed by the landlord in the presence of a deputy clerk or must be notarized by a notary public.

### **Step Three: Issuance of Summons**

After the Complaint is filed and the fee paid, the Clerk will issue an Eviction Summons/Residential. A copy of the Complaint, three-day notice, and lease (if one exists) will be attached for service on the tenant. The Summons can be served by the Sheriff or a private process server. If you would like to have the summons delivered by our courier, the Sheriff's fee must be in the form of cash, business check or money order. If paid by cash, you must personally deliver the Summons to the Sheriff's Office, Civil Processing Department. Please contact their office for fees. For a private process Private process server, please consult them directly for their fees and procedure of service.

### **Step Four: Certificate of Mailing**

If the tenant cannot be served either personally or by substitute service, the summons can be served by posting (attaching to a conspicuous part of the premises). If this occurs, the landlord must request the Clerk to mail notice to the tenant by "Certificate of Mailing." This form is included in this packet. This can also be done at the time of filing the complaint.

### **Step Five: Answer by Tenant**

The tenant has five days (exclusive of Saturdays, Sundays and holidays) after service of the Summons to file an answer. If an answer is filed and monies are deposited, the landlord must request the Court to schedule a hearing.

**Step Six: Default**

If the tenant fails to answer the Summons, the landlord may file a Motion for Default by Clerk/Default and proceed with obtaining a Final Judgment for Possession and obtain a Writ of Possession. These forms are included in this packet.

The Clerk is authorized to enter a Default at the end of five days after service is obtained upon the tenant. Upon the default being entered by the Clerk, the Judge will then review the file and enter the Final Judgment for Possession and direct the Clerk to issue the Writ of Possession.

The Clerk is not authorized to enter Default if tenant files an answer and does not deposit monies. The landlord may file a Motion for Default by Court and proceed with obtaining a Final Judgment for Possession. The Judge will then review the file and determine to proceed with Final Judgment for Possession or set it for a hearing.

**Step Seven: Final Judgment**

A completed Affidavit of Costs must be submitted to the Clerk along with the original Final Judgment for Possession that you are requesting the Judge to sign. You will need to furnish the Clerk with a copy of the Final Judgment for each of the tenants and yourself, along with self addressed stamped envelopes to the tenant(s) and yourself for mailing the conformed copy of the Final Judgment once the Judge has signed it.

**Step Eight: Writ of Possession**

The Writ of Possession must be presented to the Clerk for issuance after the Final Judgment of Possession has been entered by the Judge. The Clerk will need an original and two copies. The Writ will describe the premises and command the Sheriff to put the landlord in possession of the dwelling after 24 hours' notice conspicuously posted on the premises. The Writ must be served by the Sheriff. If you would like to have the Writ delivered by our courier, the Sheriff's fee must be in the form of business check or money order. If paid by cash, you must personally deliver the Writ to the Sheriff's Office, Civil Processing Department. Please contact their office for fees. All inquiries as to the status of the Writ of Possession once it has been issued and delivered to the Sheriff should be directed to their office. Their phone number is 941-747-3011, Ext. 2256

**Step Nine: Notice of Dismissal**

If your eviction case becomes settled prior to the court entering a Final Judgment, you must file with the Clerk a Notice of Dismissal. This will eliminate the Court and Clerk to notice you at a later date to dispose of your case that was never properly settled by the filing of a Final Judgment or Notice of Dismissal.

**THE FOLLOWING FORMS ARE INCLUDED IN THIS PACKET**

\*\*\*instructions on how many copies are needed for filing appear by each form\*\*\*\*

- 1) **Three-day Notice to Tenant/Demand for Payment or Possession**  
Original is to be served/hand delivered/posted/mailed to tenants  
One copy to be attached to complaint for eviction  
2 additional copies for each tenant named in the eviction
- 2) **Lease signed, if there is one - Clerk needs the following:**  
One copy to be attached to complaint for eviction  
2 additional copies for each tenant named in the eviction
- 3) **Eviction Complaint:**  
Original for court file  
2 copies for each tenant named in the eviction
- 4) **Eviction Summons** (5-day – eviction only)  
Each tenant must be served with a Summons. The Landlord must furnish the clerk with 3 copies of the summons for each tenant named in the eviction. This packet provides you with 3 copies of the Summons. **\*\* Please note the Summons is a 4 page document which includes the French and Spanish translation of this document \*\*** If more tenants are named in the eviction you must furnish Clerk with 3 copies for each tenant
- 5) **Certificate of Mailing**  
One original for court file- you must provide an addressed stamped envelope for each tenant
- 6) **Motion for Default by Clerk** (to be used if tenant does not answer) -  
Original for court file- no copies required  
**Motion for Default by Court** (to be used if tenant files written response and does not deposit money into court registry).  
Original for court file- no copies required
- 7) **Motion for Hearing** ( to be used if tenant deposits money into court registry)  
Original for court file – no copies required; landlord to mail a copy of the Motion for Hearing to tenant(s)
- 8) **Notice of Hearing** (to be used if tenant files an answer and deposits money into court registry)  
Original for court file; a copy for landlord with an addressed stamped envelope; a copy for each tenant with an addressed stamped envelope for each tenant
- 9) **Affidavit of Costs**  
Original for court file – no copies required
- 10) **Final Judgment for Possession**  
Original for court file; a copy for landlord with an addressed stamped envelope; a copy for each tenant with an addressed stamped envelope for each tenant
- 11) **Writ of Possession**  
Original and two copies all for the Sheriff. Fee to Manatee County Sheriffs Department, business check or money order. You will need Driver License information of person signing business check.
- 12) **Notice of Dismissal**  
Original for court file; landlord to mail a copy of the Dismissal to tenant

**THREE-DAY NOTICE TO TENANT  
DEMAND FOR PAYMENT OR POSSESSION**

**Florida Statutes 83.56**

MANATEE COUNTY, FLORIDA \_\_\_\_\_(Date)

TO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Name of tenant and street address)

You are hereby notified that you are indebted to me in the sum of \$\_\_\_\_\_ for the rent and use of the premises located at \_\_\_\_\_ (address of leased premises, including county and state), now occupied by you. I demand payment of the rent in full or possession of the premises within three (3) days (excluding Saturday, Sunday, and legal holidays) from the date of delivery of this notice, to wit: on or before the following date (month/day/year) \_\_\_\_\_.

Landlord's Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

I hereby certify that a copy of the following Notice was served upon the above named tenant(s) at the above address on the following date:

(month/day/year) \_\_\_\_\_

by the following means:

- ( ) Certified Mail - Return Receipt Requested
- ( ) Hand delivered to tenant
- ( ) Leaving a copy at the premises

\_\_\_\_\_  
Signature

**IN THE COUNTY COURT OF THE TWELFTH JUDICIAL CIRCUIT  
IN AND FOR MANATEE COUNTY, FLORIDA**

\_\_\_\_\_,  
Plaintiff / Landlord

v.

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

\_\_\_\_\_,  
Defendant / Tenant

**CONSENT TO CASE CLOSURE AFTER 90 DAYS OF INACTIVITY**

Plaintiff/Landlord does hereby consent to the closure of this case upon 90 days of inactivity.

I hereby certify that a true and correct copy of the foregoing has been furnished by U.S. Mail, email service, or initial service of process to the above-named Defendant(s) / Tenant(s).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Plaintiff / Landlord

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL  
COVER SHEET**

Plaintiff must file this cover sheet with the first document filed in the action or proceeding (except small claims 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. Amount of Claim.** Enter the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes and is not considered dispositive of the claim.
  
- III. Type of Case.** Place an “X” on the appropriate line. 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” on the category and subcategory lines. Definitions of the cases are provided below in the order they appear on the form.

## **Circuit Civil**

- (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. (The amount of claim specified in Section II. of the form determines the filing fee pursuant to section 28.241, Florida Statutes.)

(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.

(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.

(T) Nonhomestead 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.

(U) Other real property actions—all matters relating to land, land improvements, or property rights not involving commercial or residential foreclosure.

(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.

### **County Civil**

(AN) Civil – all matters involving claims ranging from \$8,001 through \$30,000 in damages, exclusive of interest, costs, and attorney fees.

(AO) Replevins—all lawsuits pursuant to Chapter 78, Florida Statutes, involving claims up to \$30,000.

(AP) Evictions—all matters involving the recovery of possession of leased land or rental property by process of law.

(AQ) Other civil (non-monetary)—includes all other non-monetary county civil matters that were not described in other county civil categories.

**IV. Remedies Sought.** Place an “X” on the appropriate line. If more than one remedy is sought in the complaint or petition, check all that apply.

**V. 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.

**VI. Class Action.** Place an “X” on the appropriate line.

**VII. Related Cases.** Place an “X” on the appropriate line.

**VIII. Is Jury Trial Demanded In Complaint?** Check the appropriate line 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, **and has read and complied with the requirements of Florida Rule of Judicial Administration 2.425.**

**FORM 1.997. CIVIL COVER SHEET**

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

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**I. CASE STYLE**

(Name of Court) \_\_\_\_\_  
Plaintiff \_\_\_\_\_ Case # \_\_\_\_\_  
\_\_\_\_\_ Judge \_\_\_\_\_  
vs.  
Defendant \_\_\_\_\_  
\_\_\_\_\_

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**II. AMOUNT OF CLAIM**

Please indicate the estimated amount of the claim, rounded to the nearest dollar. \$ \_\_\_\_\_

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**III. 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 on both the main category and subcategory lines.

**CIRCUIT CIVIL**

- \_\_\_\_\_ 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
- Homestead residential foreclosure
- Non-homestead residential foreclosure
- Other real property actions
- Professional malpractice
  - Malpractice—business
  - Malpractice—medical
  - Malpractice—other professional
- Other
  - Antitrust/Trade regulation
  - Business transactions
  - Constitutional challenge—statute or ordinance
  - Constitutional challenge—proposed amendment
  - Corporate trusts
  - Discrimination—employment or other
  - Insurance claims
  - Intellectual property
  - Libel/Slander
  - Shareholder derivative action
  - Securities litigation
  - Trade secrets
  - Trust litigation

**COUNTY CIVIL**

- Civil
- Replevins
- Evictions
- Other civil (non-monetary)

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

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

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

(Specify) \_\_\_\_\_  
 \_\_\_\_\_

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

- yes
- no

**VII. 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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**VIII. 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, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature \_\_\_\_\_ Fla. Bar # \_\_\_\_\_  
Attorney or party (Bar # if attorney)

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(type or print name) Date

**IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA**

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

\_\_\_\_\_  
Plaintiff/Landlords Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

**vs**

\_\_\_\_\_  
Defendant/Tenants Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

**COMPLAINT**

Plaintiff(s) sues defendant(s) and alleges:

- 1) This is an action to remove a tenant from real property in Manatee County, Florida;
- 2) Plaintiff owns the following described real property in the County: \_\_\_\_\_;
- 3) Defendant has possession of the property under (oral/written) agreement to pay rent in the amount of \$\_\_\_\_\_ payable weekly/monthly (You must specify whether the rental agreement is oral or written and if written, a copy of agreement must be attached);
- 4) Defendant failed to pay the rent due by the date of/week of: \_\_\_\_\_;
- 5) Plaintiff served defendant with a notice on (date) \_\_\_\_\_, to pay the rent or deliver possession of the property, but defendant refuses to do either.

WHEREFORE, Plaintiff demands judgment for possession of the property and costs against the Defendant.

\_\_\_\_\_  
Plaintiff(s) signature  
\_\_\_\_\_  
Plaintiff(s) mailing address  
\_\_\_\_\_  
City, State, Zip Code, Phone Number

SWORN to and subscribed before me on the date (month/day/year) \_\_\_\_\_  
by \_\_\_\_\_, who is/are personally known to me or has/have produced  
\_\_\_\_\_ as identification.

Angelina Colonnese, Clerk of County Court

By: \_\_\_\_\_ or: \_\_\_\_\_  
Deputy Clerk Notary Public Signature  
\_\_\_\_\_  
Notary Name Typed, Printed or Stamped

Commission expires: \_\_\_\_\_

**IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA**

Case Number \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Landlord

vs.

\_\_\_\_\_  
Defendant(s)/Tenant(s)

**EVICTION SUMMONS/RESIDENTIAL**

To: \_\_\_\_\_  
Defendant/Tenant

\_\_\_\_\_  
(Name, address & phone number of Tenant)

**PLEASE READ CAREFULLY**

You are being sued by \_\_\_\_\_ to require you to move out of the place where you are living for the reasons given in the attached complaint. You are entitled to a trial to decide whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday or any legal holiday) after the date these papers were given to you or to a person who lives with you or were posted at your home.

**THE THINGS YOU MUST DO ARE AS FOLLOWS:**

1. Write down the reason(s) why you think you should not be forced to move. The written reason(s) must be given to the clerk of the court at the Manatee County Courthouse, 1115 Manatee Ave. West, P. O. Box 25400, Bradenton, FL 34206.
2. Mail or give a copy of your written reason(s) to:

\_\_\_\_\_  
(Name Plaintiff/Landlord/Plaintiff's/Landlord's Attorney) \_\_\_\_\_ Address

3. Pay to the clerk of the court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. If you believe that the amount claimed in the complaint is incorrect, you should file with the clerk of the court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/landlord/plaintiff's/landlord's attorney.

4. If you file a motion to have the court determine the amount of rent to be paid to the clerk of the court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the clerk of the court while the lawsuit is pending.



**CAUTION:** Any payment to the Clerk of Circuit Court must be tendered in cash, cashier's check or money order and must be accompanied by payment of the Clerk's Registry Fee of 3% of the first \$500 and 1.5% of the balance over \$500. Payment should be payable to Angelina Colonnese, Clerk of Circuit Court.

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**IF YOU DO NOT DO ALL OF THESE THINGS WITHIN 5 WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.**

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**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.

Dated on \_\_\_\_\_, 20\_\_\_\_\_.

Angelina Colonnese  
CLERK OF THE COUNTY COURT

By: \_\_\_\_\_  
AS DEPUTY CLERK

**NOTICE:** If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941)741-4062, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

In and for Manatee County:

If you cannot afford an attorney, contact Gulfcoast Legal Services at (941) 746-6151 or [www.gulfcoastlegal.org](http://www.gulfcoastlegal.org), or Legal Aid of Manasota at (941) 747-1628 or [www.legaidofmanasota.org](http://www.legaidofmanasota.org). If you do not qualify for free legal assistance or do not know an attorney, you may email an attorney referral service (listed in the phone book) or contact the Florida Bar Lawyer Referral Service at (800) 342-8011.

NOTIFICACION DE DESALOJO/RESIDENCIAL

A:

SIRVASE LEER CON CUIDADO

Usted está siendo demandado por \_\_\_\_\_ para exigirle que desaloje el lugar donde por los motivos que se expresan en la demanda adjunta. Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero **ES NECESARIO** que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriados) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se colocaron en su casa.

**USTED DEBERA HACER LO SIGUIENTE:**

- 1) Escribir el (los) motivo (s) por el (los) cual (es) cree (es) cree que no se le debe obligar a mudarse. El (Los) motivo (s) deberá (n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado de Manatee, 1115 Manatee Ave. West, P.O. Box 25400 Bradenton, FL 34206.
- 2) Enviar por correo o darle su (s) motivos por escrito a:

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(Demandante/Abogado del Demandante)

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**DIRECCION:**

- 3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, así como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse. Si usted presenta una moción, deberá adjuntarle a este cualquier documento que respalden su posición, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.
- 4) Si usted presenta una moción para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, deberá comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio este pendiente.

**PRECAUCION:** Cualquier pago de alquiler pagado al Secretario del Tribunal debe ser remitido en efectivo o transgiro y debe ser acompañado con el costo de registro del Secretario del Tribunal que es lo siguiente: 3% del los primeros \$500.00 y 1.5 % del balance encima de los \$500.00. Pago debe ser remitido a Angelina Colonnese, Clerk of Circuit Court.

**SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESALOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO.**

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## CITATION D'EVICITION/RESIDENTIELLE

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Vous avez la droit à un procès pour déterminer si vous devez déménager, mais VOUS DEVEZ, au préalable, SUIVRE les instructions énumérées ci-dessous, pendant les cinq (5) jours (le Samedi, le Dimanche et les jours fériés non compris) à partir de la date quand ces documents ont été donnés à vous ou à la personne habitant avec vous ou ont été affichés à votre résidence.

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**IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA**

Case Number \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Landlord

vs.

\_\_\_\_\_  
Defendant(s)/Tenant(s)

**EVICTIION SUMMONS/RESIDENTIAL**

To: \_\_\_\_\_  
Defendant/Tenant

\_\_\_\_\_  
(Name, address & phone number of Tenant)

**PLEASE READ CAREFULLY**

You are being sued by \_\_\_\_\_ to require you to move out of the place where you are living for the reasons given in the attached complaint. You are entitled to a trial to decide whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday or any legal holiday) after the date these papers were given to you or to a person who lives with you or were posted at your home.

**THE THINGS YOU MUST DO ARE AS FOLLOWS:**

1. Write down the reason(s) why you think you should not be forced to move. The written reason(s) must be given to the clerk of the court at the Manatee County Courthouse, 1115 Manatee Ave. West, P. O. Box 25400, Bradenton, FL 34206.
2. Mail or give a copy of your written reason(s) to:

\_\_\_\_\_  
(Name Plaintiff/Landlord/Plaintiff's/Landlord's Attorney) \_\_\_\_\_ Address

3. Pay to the clerk of the court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. If you believe that the amount claimed in the complaint is incorrect, you should file with the clerk of the court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/landlord/plaintiff's/landlord's attorney.

4. If you file a motion to have the court determine the amount of rent to be paid to the clerk of the court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the clerk of the court while the lawsuit is pending.

**CAUTION: Any payment to the Clerk of Circuit Court must be tendered in cash, cashier's check or money order and must be accompanied by payment of the Clerk's Registry Fee of 3% of the**

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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.

Dated on \_\_\_\_\_, 20\_\_\_\_\_.

Angelina Colonnese  
CLERK OF THE COUNTY COURT

By: \_\_\_\_\_  
AS DEPUTY CLERK

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NOTIFICACION DE DESALOJO/RESIDENCIAL

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Usted esta siendo demandado por \_\_\_\_\_ para exigirle que desaloje el lugar donde por los motivos que se expresan en la demanda adjunta. Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero **ES NECESARIO** que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriados) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se colocaron en su casa.

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- 5) Escribir el (los) motivo (s) por el (los) cual (es) cree (es) cree que no se le debe obligar a mudarse. El (Los) motivo (s) deberá (n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado de Manatee, 1115 Manatee Ave. West, P.O. Box 25400 Bradenton, FL 34206.
- 6) Enviar por correo o darle su (s) motivos por escrito a:

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(Demandante/Abogado del Demandante)

**DIRECCION:**

- 7) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, así como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse. Si usted presenta una moción, deberá adjuntarle a este cualquier documento que respalden su posición, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.
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Case Number \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Landlord

vs.

\_\_\_\_\_  
Defendant(s)/Tenant(s)

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(Name, address & phone number of Tenant)

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Dated on \_\_\_\_\_, 20\_\_\_\_\_.

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CLERK OF THE COUNTY COURT

By: \_\_\_\_\_  
AS DEPUTY CLERK

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(Demandante/Abogado del Demandante)

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**DIRECCION:**

- 3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, así como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse. Si usted presenta una moción, deberá adjuntarle a este cualquier documento que respalden su posición, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.
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IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

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

\_\_\_\_\_  
Landlord/Plaintiffs Name

\_\_\_\_\_  
Address

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

vs

\_\_\_\_\_  
Tenant/Defendants Name

\_\_\_\_\_  
Address

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

**CERTIFICATE OF MAILING**

I, Angelina Colonnese, Clerk of Circuit Court, do hereby certify that pursuant to Florida Statutes 83.22 the landlord has provided the Clerk of the Court with copies of the complaint and pre-stamped envelopes addressed to the defendant(s) for first-class mailing.

I further certify that the filing of this Certificate of Mailing has been properly docketed and on the date below copies of the summons and complaint were mailed to:

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

(name and mailing address of tenant(s))

Service shall be effective on the date of posting or mailing, whichever occurs later; and at least 5 days from the date of service must have elapsed before a judgment for final removal of the defendant may be entered.

Dated on \_\_\_\_\_.

Angelina Colonnese  
CLERK OF THE COUNTY COURT  
Manatee County, Florida

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

In the County Court in and for Manatee County, Florida

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

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

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Telephone Number

**vs**

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

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Telephone Number

**MOTION FOR DEFAULT BY CLERK**

Plaintiff(s) move(s) for entry of a default by the Clerk against defendant(s) for failure to serve any paper on the undersigned or file any paper as required by law.

\_\_\_\_\_  
Plaintiff(s) or Attorney for Plaintiff(s) Signature

\_\_\_\_\_  
Plaintiff(s)/ Attorney for Plaintiff(s)

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Phone number

**DEFAULT**

A default is entered in this action against the defendant(s) named in the foregoing motion for failure to serve or file any paper as required by law.

DATED on (month/day/year) \_\_\_\_\_

Angelina Colonnese  
CLERK OF THE COUNTY COURT

By: \_\_\_\_\_  
Deputy Clerk

In the County Court in and for Manatee County, Florida

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

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

Plaintiff(s)

vs

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

Defendant(s)

**MOTION FOR DEFAULT BY COURT**

Plaintiff(s) move(s) for entry of a default by the Court against defendant(s) for failure to pay monies into the registry of the Court.

\_\_\_\_\_  
Plaintiff(s)/Attorney for Plaintiff(s) Signature

\_\_\_\_\_  
Plaintiff(s)/ Attorney for Plaintiff(s)

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Phone number

**DEFAULT**

A default is entered in this action against the defendant(s) named in the foregoing motion for failure to pay monies into the registry of the Court.

Dated on (month/day/year) \_\_\_\_\_

By:

\_\_\_\_\_  
County Judge  
Manatee County, Florida

**In the County Court in and for Manatee County, Florida**

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

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

Plaintiff(s)

vs

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

Defendant(s)

**MOTION FOR HEARING**

Plaintiff(s) motions the Court and requests a hearing as defendant(s) has/have paid monies into the registry of the Court.

\_\_\_\_\_  
Plaintiff(s)/Attorney for Plaintiff(s) Signature

\_\_\_\_\_  
Plaintiff(s)/ Attorney for Plaintiff(s)

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Phone number

**Certificate of Service**

I hereby certify that a true copy of the foregoing motion for hearing has been mailed, posted or hand delivered to the parties named above on the date (month/day/year) \_\_\_\_\_.

By: \_\_\_\_\_

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Landlord's name and mailing address)

vs

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Tenant's name(s) and mailing address)

**NOTICE OF HEARING**

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Tenant's name(s) and mailing address)

YOU ARE HEREBY NOTIFIED that a final hearing will be held on \_\_\_\_\_  
(month/day/year) at \_\_\_\_\_ a.m./p.m., in the Judges Chambers or Hearing Room \_\_\_\_\_ located in  
The Manatee County Judicial Center, At 1051 Manatee Ave West, Bradenton FL 34205

DATED on (month/day/year) \_\_\_\_\_

By: \_\_\_\_\_  
Landlord

**Certificate of Service**

I hereby certify that a true copy of the foregoing notice of hearing has been mailed, posted or hand delivered to the parties named above on the date (month/day/year) \_\_\_\_\_.

By: \_\_\_\_\_

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941)741-4062, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.**



**IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA**

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

\_\_\_\_\_  
Plaintiff(s) Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

**vs**

\_\_\_\_\_  
Defendant(s) Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

**AFFIDAVIT OF COSTS**

Personally appeared before the undersigned authority, authorized to take acknowledgements and administer oaths, \_\_\_\_\_, who after being duly sworn, deposes and says:

1. That he/she has personal knowledge of the facts hereinafter stated.
2. Plaintiff has expended the following costs to file this case:
  - \$ \_\_\_\_\_ for filing of complaint;
  - \$ \_\_\_\_\_ for service of process by Sheriff/process server (Summons)
  - \$ \_\_\_\_\_ for service of Writ of Possession by Sheriff
  - \$ \_\_\_\_\_ total amount now due and owing.

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

**STATE OF FLORIDA:**  
**COUNTY OF MANATEE:**

Sworn to and subscribed before me this day (month/day/year) \_\_\_\_\_

by \_\_\_\_\_, who is/are personally known to me or has/have produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Signature

OR Angelina Colonnese  
Clerk of the County Court

\_\_\_\_\_  
Notary Name Typed, Printed or Stamped

By:

My Commission expires: \_\_\_\_\_

\_\_\_\_\_

**In the County Court in and for Manatee County, Florida**

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

\_\_\_\_\_  
Plaintiff(s) Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

**vs**

\_\_\_\_\_  
Defendant(s) Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_

**FINAL JUDGMENT FOR POSSESSION**

THIS CAUSE came to be heard before me upon Plaintiff 's Complaint for Removal of Tenant, and the Court being fully advised,

ORDERED AND ADJUDGED:

1) That Final Judgment be and the same is hereby entered in favor of the Plaintiff (s) and against the Defendant(s) for possession of the premises located at and known as:

\_\_\_\_\_, Manatee County, Florida, for which let Writ of Possession issue forthwith.

2) That Plaintiff(s) recover from said Defendant(s) costs herein taxed in the sum of \$\_\_\_\_\_, for which let Execution issue.

ORDERED in Chambers at Bradenton, Manatee County, Florida on this date (month/day/year) \_\_\_\_\_.

\_\_\_\_\_  
County Judge

**Certificate of Service**

I do hereby certify that a true copy of the foregoing Final Judgment has been furnished to all parties by mail/hand delivery on the date (month/day/year) \_\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk or Judicial Assistant

**In the County Court in and for Manatee County, Florida**

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

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

Landlord/Plaintiff

**vs**

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

Tenant/Defendant

**WRIT OF POSSESSION**

THE STATE OF FLORIDA:  
TO THE SHERIFF OF MANATEE COUNTY:

YOU ARE COMMANDED to remove all persons from the following described property in Manatee County, Florida; and to put Plaintiff(s) in possession of it:

\_\_\_\_\_  
(street address of property )

**after 24 hours' notice conspicuously posted on the premises.**

DATED on (month/day/year) \_\_\_\_\_.

Angelina Colonneso  
As Clerk of the County Court  
Manatee County, Florida

By:

\_\_\_\_\_  
Deputy Clerk

Contact Person: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)

**In the County Court in and for Manatee County, Florida**

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

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

Landlord/Plaintiff

**vs**

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

Tenant/Defendant

**WRIT OF POSSESSION**

THE STATE OF FLORIDA:  
TO THE SHERIFF OF MANATEE COUNTY:

YOU ARE COMMANDED to remove all persons from the following described property in Manatee County, Florida; and to put Plaintiff(s) in possession of it:

\_\_\_\_\_  
(street address of property )

**after 24 hours' notice conspicuously posted on the premises.**

DATED on (month/day/year) \_\_\_\_\_.

Angelina Colonneso  
As Clerk of the County Court  
Manatee County, Florida

By:

\_\_\_\_\_  
Deputy Clerk

Contact Person: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

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

\_\_\_\_\_  
Plaintiff

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

\_\_\_\_\_  
Defendant

**NOTICE OF DISMISSAL**

No Property having been seized or otherwise put in the custody of the Court, the Plaintiff(s) or Defendant(s) hereby dismiss the claim or counter-claim herein with/without prejudice (Circle one).

\_\_\_\_\_  
Signature of Plaintiff

\_\_\_\_\_  
Dated on (month/day/year)

Certificate of Service

I HEREBY CERTIFY that a copy hereof has been furnished to the above named party at the address listed above by mail or hand delivery on this date (month/day/year)\_\_\_\_\_.

\_\_\_\_\_  
Signature of plaintiff