

The Landlord must bring the following documents with him when he files his eviction case at the Leon County Courthouse, 301 South Monroe Street, Room 100, Tallahassee, FL 32301:

- _____ The petition for eviction (three copies original goes in the case file, one copy is for service on one defendant, and one copy is for mailing)
- _____ Summons (original and three copies for one defendant)
- _____ Lease agreement (three copies – one for file, one for service on one defendant, and one for mailing)
- _____ Civil Cover Sheet
- _____ Notice (three copies – one for file, one for service on one defendant, and one for mailing)
- _____ A stamped envelope addressed to the tenant
- _____ A check in the amount of \$185.00 for filing the eviction case and \$10.00 for issuance of Summons on each defendant

FORM 1.997. CIVIL COVER SHEET

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

1. CASE STYLE

In the Court of the Second Judicial Circuit for Leon County, Florida

Plaintiff(s)

Case Number: _____

vs

Judge: _____

Defendant(s)

2. AMOUNT OF CLAIM

Please indicate 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 only. The amount of the claim shall not be used for any other purposes.

- \$8,000 or less _____
- \$8,001 - \$30,000 _____
- \$30,001 - \$50,000 _____
- \$50,001 - \$75,000 _____
- \$75,001 - \$100,000 _____
- over \$100,000.00 _____

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

CIRCUIT CIVIL

- | | |
|--|---|
| <input type="checkbox"/> Condominium | <input type="checkbox"/> Homestead residential foreclosure \$50,001 - \$249,999 |
| <input type="checkbox"/> Contracts and indebtedness | <input type="checkbox"/> Homestead residential foreclosure \$250,000 or more |
| <input type="checkbox"/> Eminent domain | <input type="checkbox"/> Non-homestead residential Foreclosure \$0 - \$50,000 |
| <input type="checkbox"/> Auto negligence | <input type="checkbox"/> Non-homestead residential Foreclosure \$50,001-\$249,999 |
| <input type="checkbox"/> Negligence – other | <input type="checkbox"/> Non-homestead residential Foreclosure \$250,000 or more |
| <input type="checkbox"/> Business governance | <input type="checkbox"/> Other |
| <input type="checkbox"/> Business torts | <input type="checkbox"/> Antitrust / trade regulation |
| <input type="checkbox"/> Environmental/Toxic tort | <input type="checkbox"/> Business transactions |
| <input type="checkbox"/> Third party indemnification | <input type="checkbox"/> Constitutional challenge – statute or ordinance |
| <input type="checkbox"/> Construction defect | <input type="checkbox"/> Constitutional challenge – proposed amendment |

- | | |
|---|---|
| <input type="checkbox"/> Mass tort | <input type="checkbox"/> Corporate trusts |
| <input type="checkbox"/> Negligent security | <input type="checkbox"/> Discrimination – employment or other |
| <input type="checkbox"/> Nursing home negligence | <input type="checkbox"/> Insurance claims |
| <input type="checkbox"/> Premises liability – commercial | <input type="checkbox"/> Intellectual property |
| <input type="checkbox"/> Premises liability – residential | <input type="checkbox"/> Libel / Slander |
| <input type="checkbox"/> Products liability | <input type="checkbox"/> Shareholder derivative action |
| <input type="checkbox"/> Real property / Mortgage foreclosure | <input type="checkbox"/> Securities litigation |
| <input type="checkbox"/> Commercial foreclosure \$0 - \$50,000 | <input type="checkbox"/> Trade secrets |
| <input type="checkbox"/> Commercial foreclosure \$50,001 - \$249,999 | <input type="checkbox"/> Trust litigation |
| <input type="checkbox"/> Commercial foreclosure \$250,000 or more | |
| <input type="checkbox"/> Homestead residential foreclosure \$0 - \$50,000 | |

PLEASE CHECK THIS BOX IF THIS CASE IS APPROPRIATE FOR ASSIGNMENT TO THE COMPLEX BUSINESS LITIGATION DIVISION. PLEASE SEE ATTACHED COMPLEX BUSINESS LITIGATION DIVISION ADDENDUM FORM.

COUNTY CIVIL

- Small Claims
- Civil
- Real property/Mortgage foreclosure
- Replevins
- Evictions
 - Residential Evictions
 - Non-Residential Evictions
- Other civil (non-monetary)

4. REMEDIES SOUGHT (Check all that apply):

- Monetary;
- Non-monetary declaratory or injunctive relief;
- Punitive

5. NUMBER OF CAUSES OF ACTION: _____

(Specify) _____

6. IS THIS CASE A CLASS ACTION LAWSUIT?

- Yes
- No

7. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- No
- Yes. If “Yes”, list all related cases by name, case number and court. _____

8. 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 _____

Attorney or Party

FL Bar Number _____

(Bar Number if attorney)

Type or Print Name

Date

FORM 5

COMPLAINT FOR LANDLORD TO EVICT TENANTS

INSTRUCTIONS

Form 5 should be used if only eviction of the Tenant is sought. Form 5A should be used to evict the Tenant and recover damages (past due rent).

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord,
vs.

Tenant.

**COMPLAINT FOR
EVICTON AND DAMAGES**

Landlord, _____,
sues Tenant, _____, and alleges:

**COUNT I
TENANT EVICTION**

1. This is an action to evict a tenant from real property in Leon County, Florida.
2. Landlord owns the following described real property in Leon County:
3. Tenant has possession of the property under (oral/written) agreement to pay rent of \$ _____, payable _____. A copy of the written agreement, if any, is attached as Exhibit "A."
4. Tenant failed to pay rent due _____.
5. Landlord served Tenant with a notice on _____, to pay the rent or deliver possession but Tenant refuses to do either. A copy of the notice is attached as Exhibit "B."

WHEREFORE, Landlord demands judgment for possession of the property against Tenant.

**COUNT II
DAMAGES**

6. This is an action for damages that do not exceed \$15,000.
7. Landlord restates those allegations contained in paragraphs 1 through 5 above.
8. Tenant owes Landlord \$ _____
that is due with interest since _____.

WHEREFORE, Landlord demands judgment for damages against Tenant.

LANDLORD'S SIGNATURE

PRINTED NAME

ADDRESS

CITY, STATE, ZIP CODE

TELEPHONE NUMBER

IN THE COUNTY COURT,
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord,

vs.

Tenant.

EVICTION SUMMONS/RESIDENTIAL

TO:

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 determine 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 Leon County Courthouse, 301 S Monroe Street, Suite 100, Tallahassee, Florida 32301.

(2) Mail or give a copy of your written reason(s) to:

Landlord or Landlord's Attorney

Address

(3) Pay to the clerk of the court the amount of rent into the court registry (*cash, certified or cashier's check, or money order payable to the clerk of the court*) that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over (*together with the court registry fee of 3% of the first \$500, and 1½% of the balance which fee is nonrefundable*). 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 Landlord/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, the judge assigned to the case will determine whether a hearing will be held to decide what amount should be paid to the clerk of the court while the lawsuit is pending, and a hearing notice will be sent to you.

IF YOU DO NOT DO ALL OF THE THINGS SPECIFIED ABOVE 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

(5) If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the clerk of the court at the address specified in paragraph (1) above, and you must mail or give a copy of your written reasons to the Landlord/Landlord's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you or were posted at your home. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

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 Tenant.

DATED on _____.

GWEN MARSHALL
Clerk of the County Court

By: _____
Deputy Clerk

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord

vs.

Tenant

MOTION FOR CLERK'S DEFAULT

Landlord asks the Clerk to enter a default against _____,
Tenant, for failing to respond as required by law to the [] Complaint for Eviction or []
Complaint for Eviction and Damages.

Landlord's Signature

Printed Name _____

Address _____

Telephone Number _____

DEFAULT

A default is entered in this action against the Tenant for failure to respond as required by
law.

DATE _____.

GWEN MARSHALL
Clerk of Court, Leon County

By: _____
Deputy Clerk

Copies furnished to:

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord

vs.

Tenant

**MOTION FOR DEFAULT FINAL JUDGMENT
RESIDENTIAL EVICTION**

Landlord asks the Court to enter a Default Final Judgment against Tenant,
_____, for residential eviction, and says:

- 1. Landlord filed a complaint alleging grounds for residential eviction of Tenant.
- 2. A default was entered by the Clerk of this Court on _____.

WHEREFORE, Landlord asks this Court to enter a Final Judgment for residential
eviction against Tenant.

 Landlord's Signature
 Printed Name _____
 Address _____

 Telephone Number _____

Copies furnished to:

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord

vs.

Tenant

**MOTION FOR DEFAULT FINAL JUDGMENT
DAMAGES**

Landlord asks the Court to enter a Default Final Judgment against Tenant,
_____, for damages, and says:

- 1. Landlord filed a complaint for damages against the Tenant.
- 2. A default was entered by the Clerk of this Court on _____.
- 3. In support of this motion, Landlord submits the attached Affidavit of Damages.

WHEREFORE, Landlord asks this Court to enter a Final Judgment against Tenant.

 Landlord's Signature
 Printed Name _____
 Address _____

 Telephone Number _____

Copies furnished to:

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord

vs.

Tenant

AFFIDAVIT OF DAMAGES

STATE OF FLORIDA,
COUNTY OF LEON.

BEFORE ME, the undersigned authority, personally appeared _____,
_____, who being first duly sworn, says:

1. I am the [] Landlord or [] Landlord's agent in this case and am authorized to make this statement.
2. This statement is based on my own personal knowledge.
3. Tenant owes the Landlord the following amounts for the follow reasons:

AMOUNTS	REASONS
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____

TOTAL \$ _____
(attach additional page if necessary)

Dated this ____ day of _____, _____

(Signature)

(Printed Name)

The foregoing instrument was acknowledged before me this _____ day of _____,
_____, by _____, who is personally known to me or who has produced
_____ as identification and who did [] did not [] take an oath.

GWEN MARSHALL
Clerk of the Court, Leon County

By: _____
Deputy Clerk/Notary

(Printed Name)

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

Case No. _____

_____,
Landlord(s),

vs.

_____,
Tenant(s).

NON-MILITARY AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEON

Personally appeared before me the undersigned authority authorized to take oath and acknowledgments in the State and County aforesaid, _____, who being by me first duly sworn did state as follows:

That the undersigned is personally familiar with the Tenant _____ in the above styled matter.

That, to the best of the affiant's belief and information, Tenant(s) is/are not in the service of the armed forces of the United States and is/are not entitled to the relief afforded by the Soldiers and Sailors Civil Relief Act of 1940, 50 U. S. C. §§ 501 et seq.

(Include statement of location and occupation of Tenant to support non-military service claim.)

(Include statement of age or disability of Tenant to support non-military service claim.)

FURTHER AFFIANT SAYETH NAUGHT.

AFFIANT

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by _____, who [] is personally known to me, or [] produced _____ as identification, and who [] did [] did not take an oath.

GWEN MARSHALL
Clerk of the Court, Leon County

By: _____
Deputy Clerk/Notary

(Printed Name)

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord,

vs.

Tenant.

**FINAL JUDGMENT
EVICTION**

THIS ACTION came before the Court upon Landlord's Complaint for eviction. On the evidence presented, it is

ADJUDGED that Landlord, _____,
recover from Tenant, _____,
possession of the real property described as follows: _____

for which let Writs of Possession and Execution now issue.

ORDERED in Tallahassee, Leon County, Florida, on _____,
_____.

COUNTY JUDGE

IN THE COUNTY COURT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

Landlord,

vs.

Tenant.

FINAL JUDGMENT
DAMAGES

THIS ACTION came before the Court upon Landlord's Complaint for unpaid rent. On the evidence presented, it is

ADJUDGED that Landlord, _____,
recover from Tenant, _____,
the sum of \$ _____ with costs in the sum of \$ _____,
making a total of \$ _____, that shall bear interest at the legal rate
pursuant to Section 55.03, Florida Statutes, for which let execution now issue.

ORDERED in Tallahassee, Leon County, Florida, on _____,

_____.

COUNTY JUDGE

Copies furnished to:

IN THE COUNTY COURT
IN AND FOR LEON COUNTY FLORIDA

CASE NO.

Landlord

vs.

Tenant

WRIT OF POSSESSION

STATE OF FLORIDA
TO THE SHERIFF OF LEON COUNTY, FLORIDA:

YOU ARE COMMANDED to remove all persons from the following described property in

Leon County, Florida: _____

_____ and to put _____ in possession of it, after 24 hours
notice conspicuously posted on the premises.

DATED on _____ day of _____, _____.

GWEN MARSHALL
Clerk of the Court, Leon County

By: _____
Deputy Clerk

Contact Person _____
Telephone number _____