



WILLIAM J. WALLACE  
COUNTY JUDGE

STATE OF FLORIDA  
**NINETEENTH JUDICIAL CIRCUIT**  
INDIAN RIVER, MARTIN, OKEECHOBEE AND ST. LUCIE COUNTIES

OKEECHOBEE COUNTY JUDICIAL CENTER  
312 N.W. 3<sup>RD</sup> STREET  
OKEECHOBEE, FLORIDA 34972  
(863) 763-3193  
FAX (863) 763-7260

## MEMORANDUM

TO: ALL PARTIES SUBMITTING CLAIMS  
IN COUNTY CIVIL and SMALL

DATE: February 4, 2019

RE: SELF-ADDRESSED STAMPED ENVELOPES

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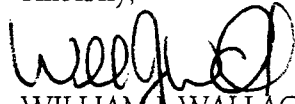
Please be advised that ALL parties submitting claims to the Clerk of Court must furnish to the Clerk at the time of filing, at least five (5) self-addressed stamped envelopes, two for the Plaintiff and two for each Defendant plus an additional envelope for each Defendant with double postage.

For Tenant Eviction cases, the Plaintiff must file the original Eviction Complaint (including all attachments or exhibits) plus two (2) copies per Tenant of the Complaint and attachments if seeking only an eviction or three (3) copies per Tenant of the Complaint and attachments if seeking eviction and money damages.

Any corporation that is a party to a Small Claims action, either Plaintiff or Defendant, must be represented by an attorney unless the corporation has given written authorization to an officer or employee of the corporation to represent the corporation. (See Small Claim Rule 7.050. See Small Claims Form 7.350 for sample authorization)

Thank you.

Sincerely,

  
WILLIAM J. WALLACE  
County Court Judge

WJW/kmh

**IN THE COUNTY COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA**

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

\_\_\_\_\_  
Plaintiff

Division: \_\_\_\_\_

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Phone

**-vs-**

\_\_\_\_\_  
Defendant/Pawnbroker

\_\_\_\_\_  
Physical Address

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

\_\_\_\_\_  
Phone

**STATEMENT OF CLAIM FOR  
RETURN OF PROPERTY FROM PAWNBROKER**

Plaintiff, \_\_\_\_\_, sues defendant/pawnbroker, \_\_\_\_\_,  
and says:

1. This is an action for the return of stolen or misappropriated property pursuant to section 539.001, Florida Statutes.

2. Plaintiff is the owner of the following described property:

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

3. The above-described property was stolen or otherwise misappropriated from plaintiff on or about the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. A copy of the law enforcement report outlining the theft/misappropriation is attached hereto and incorporated into this statement of claim.

4. The above-described property is currently in the possession of defendant and is located at a pawnshop as defined in section 539.001, Florida Statutes, the address of which is:

\_\_\_\_\_

5. Plaintiff has complied with the procedural requirements of section 539.001, Florida Statutes. Specifically, plaintiff notified the pawnbroker of plaintiff's claim to the property:

\_\_\_\_\_ by certified mail, return receipt requested, OR  
\_\_\_\_\_ in person evidenced by a signed receipt.

The notice contains a complete and accurate description of the purchased or pledged goods and was accompanied by a legible copy of the aforementioned police report regarding the theft or misappropriation of the property. No resolution between plaintiff and defendant pawnbroker could be reached within 10 days after the delivery of the notice.

WHEREFORE, plaintiff demands judgment for the return of the property. Plaintiff further asks the court to award plaintiff the costs of this action, including reasonable attorneys' fees.

\_\_\_\_\_  
Plaintiff (signature)

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Day telephone number

State of Florida  
County of Okeechobee

The foregoing instrument was acknowledged before me on \_\_\_\_\_, by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification and who \_\_\_\_\_ did/did not \_\_\_\_\_ take an oath.

WITNESS my hand and official seal, on \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
State of Florida

Note to Clerk of Court and to Sheriff: Pursuant to Section 539.001(15), filing fees and service fees shall be waived. Waiver does not require the filing of an affidavit of insolvency.

IN THE COUNTY COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

CIVIL DIVISION

CASE NO: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,  
vs.  
\_\_\_\_\_,  
Defendant.

**SUMMONS/NOTICE TO APPEAR FOR PRETRIAL/MEDIATION CONFERENCE**

STATE OF FLORIDA – NOTICE TO PLAINTIFF: \_\_\_\_\_

NOTICE TO DEFENDANT: \_\_\_\_\_

YOU ARE HEREBY NOTIFIED that you are required to appear in person or by attorney at the Okeechobee County Judicial Center, 312 N.W. Third Street, Okeechobee, Florida 34972 in Courtroom \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am/pm, for a Pretrial/Mediation Conference before a judge of this court.

**IMPORTANT – READ CAREFULLY**

**THE CASE WILL NOT BE TRIED AT THAT TIME**

**DO NOT BRING WITNESSES – APPEAR IN PERSON OR BY ATTORNEY**

The defendant(s) must appear in court on the date specified in order to avoid a default judgment. The plaintiff(s) must appear to avoid having the case dismissed for lack of prosecution. A written MOTION or ANSWER to the court by the plaintiff(s) or the defendant(s) shall not excuse the personal appearance of a party or its attorney in the PRETRIAL/MEDIATION CONFERENCE. The date and time of the pretrial/mediation conference **CANNOT** be rescheduled without good cause and prior court approval.

Any business entity recognized under Florida law may be represented at any stage of the trial court proceedings by any principal of the business entity who has legal authority to bind the business entity or any employee authorized in writing by a principal of the business entity. A principal is defined as being an officer, member, managing member, or partner of the business entity. Written authorization must be brought to the Pretrial/Mediation Conference.

The purpose of the pretrial/mediation conference is to record your appearance, to determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial/mediation conference. You or your attorney should be prepared to confer with the court and to explain

briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

Mediation will take place at the pretrial/mediation conference. Whoever appears for a party must have full authority to settle. Failure to have full authority to settle at the pretrial/mediation conference may result in the imposition of costs and attorney fees incurred by the opposing party.

If you admit the claim, but desire additional time to pay, you must come and state the circumstances to the court. The court may or may not approve a payment plan and withhold judgment or execution or levy.

**RIGHT TO VENUE.** The law gives the person or company who has sued you the right to file in any one of several places as listed below. However, if you have been sued in any place other than one of these places, you, as the defendant(s), have the right to request that the case be moved to a proper location or venue. A proper location or venue may be one of the following: (1) where the contract was entered into; (2) if the suit is on an unsecured promissory note, where the note is signed or where the maker resides; (3) if the suit is to recover property or to foreclose a lien, where the property is located; (4) where the event giving rise to the suit occurred; (5) where any one or more of the defendants sued reside; (6) any location agreed to in a contract; (7) in an action for money due, if there is no agreement as to where suit may be filed, where payment is to be made.

If you, as the defendant(s), believe the plaintiff(s) has/have not sued in one of these correct places, you must appear on your court date and orally request a transfer, or you must file a WRITTEN request for transfer in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiff's(s') attorney, if any.

A copy of the statement of claim shall be served with this summons.

DATED at Okeechobee, Florida on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

JERALD D. BRYANT  
CLERK OF THE COURT AND COMPTROLLER

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

**NOTICE REGARDING THE AMERICANS WITH DISABILITY ACT OF 1990.**

**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 Court Administration, 250 NW Country Club Drive, Suite 217, Port St. Lucie, FL 34986, (772) 807-4370 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 711.**

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