

**IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR CHARLOTTE COUNTY, FLORIDA**

Case No. _____

Plaintiff

vs

Defendant

And

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
Defendant

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 Charlotte County, and has so resided during all times material to this action.
3. Defendant(s), _____, whose last known address and telephone is

Street City State Zip Phone

is the person or persons who must be sued because they are the last known owners of said property described in this action. Codefendant, 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 Charlotte 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.

Signature of Plaintiff

Print Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

**STATE OF FLORIDA
COUNTY OF CHARLOTTE**

Sworn and subscribed before me this ____ day of _____, 20____, by
_____, who is personally known to me or produced
_____ as identification and who took the oath.

Notary Public

Typed or Printed Name

My Commission expires: _____

(seal)

**IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR CHARLOTTE 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.
- Highway Patrol records in the State of prior owner's last known address.
- Department of Motor Vehicles records in the state of prior owner's last known address.
- Department of Corrections records in the state of prior owner's last known address.
- Hospitals in the last known area of prior owner's residence.
- Utility companies, which include water, sewer, cable, TV and electric in the last known, area of prior owner's residence.
- Tax Assessor's and Property Records at Tax Collector's Office in the county where prior owner last resided
- Other (*explain*): _____

2. The age of prior owner is (*check only one*): known (age ____) unknown
3. Prior owner's current residence (*check only one*)
- Prior owner's current residence is unknown to me
- Prior owner's current residence is in a state or country other than Florida, and prior owners last known address is:

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

Date: _____

Signature of Affiant

Print Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

**STATE OF FLORIDA
COUNTY OF CHARLOTTE**

Sworn and subscribed before me this ____ day of _____, 20 ____, by
_____, who is personally known to me or produced
_____ as identification and who took the oath.

Notary Public

Typed or Printed Name

My Commission expires: _____ (seal)

**IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR CHARLOTTE COUNTY, FLORIDA**

IN RE: THE MATTER OF _____ Case No. _____

DECLARATORY JUDGMENT GRANTING VEHICLE OWNERSHIP

THIS CAUSE coming on to be considered before this Court and the Court being duly advised and having examined the supporting documents establishing proof of ownership and right of possession of the applicant and the Court being otherwise advised as to the circumstances relating to this matter the Court hereby finds:

1. The Court has jurisdiction herein pursuant to Florida Statute 86.011 and Florida Statute 319.28(2)(a)
2. The value of the vehicle described as a:
YEAR: _____ MAKE: _____ MODEL: _____
VIN: _____ \$ _____ US DOLLARS
3. The above described vehicle has not been reported stolen
4. The applicant(s): _____ is/are entitled to have a certificated of title issued in his/her name(s)

THEREFORE, the Court hereby awards to _____ sole possession and ownership of the vehicle described herein and directs the Department Highway Safety and Motor Vehicles to issue a certificate of title to the vehicle upon presentation of an application thereof, along with the original of this Order of a certified copy thereof, and all applicable fees and charges.

DONE AND ORDERED in chambers at Charlotte County, Florida this _____ day of _____, 20____.

COUNTY JUDGE

**IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR CHARLOTTE COUNTY, FLORIDA**

Case No. _____

Plaintiff

vs

Defendant

And

STATE OF FLORIDA

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Defendant

**SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
ORDEN DE COMPARECENCIA: SERVICIO PERSONAL EN UN INDIVIDUO
CITATION: L'ASSIGNATION PERSONAL SUR UN INDIVIDUEL**

TO/PARA/A: _____
Defendant Name

Street **City** **State** **Zip**

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/petition with:

**Charlotte County Clerk of the Circuit Court
350 East Marion Ave.
Punta Gorda, FL 33950**

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 written response on time, you may lose the case, and your wages, money, and property may be taken thereafter 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 serve a copy of your written response on the party serving this summons at:

Plaintiff/Plaintiff's Attorney

Street City State Zip

If the party serving summons has designated email address(es) for service or is represented by an attorney, you may designate email address(es) for service by or on you. Service must be in accordance with Florida Rule of General Practice and Judicial Administration 2.516.

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents, upon request.

IMPORTANTE

Usted ha sido demandado legalmente. Tiene veinte (20) dias, contados a partir del recibo de esta notificacion, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Localizado en:

Una llamada telefonica no lo protegera. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el numero del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podria perder el caso y podria ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, usted puede consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guia telefonica.

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

Si usted elige presentar personalmente una respuesta por escrito, en el mismo momento que usted presente su respuesta por escrito al Tribunal, usted debe enviar por correo o llevar una copia de su respuesta por escrito a la parte entregando esta orden de comparecencia a:

Nombre y direccion de la parte que entrega la orden de comparecencia: _____

Copias de todos los documentos judiciales de este caso, incluyendo las ordenes, estan disponibles en la oficina del Secretario de Juzgado del Circuito [Clerk of the Circuit Court's office]. Estos documentos pueden ser revisados a su solicitud.

IMPORTANT

Des poursuites judiciaires ont ete entreprises contre vous. Vous avez 20 jours consecutifs a partir de la date de l'assignation de cette citation pour déposer une reponse ecrite a la plainte ci-jointe aupres de ce

Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (10/21)

tribunal. Qui se trouve a: {L'Adresse} _____

Un simple coup de telephone est insuffisant pour vous proteger; vous etes obliges de déposer votre reponse ecrite, avec mention du numero de dossier ci-dessus et du nom des parties nommees ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre reponse ecrite dans le delai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requerir les services immediats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de déposer vous-meme une reponse ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie au carbone ou une photocopie de votre reponse ecrite a la partie qui vous depose cette citation.

Nom et adresse de la partie qui depose cette citation: _____

Les photocopies de tous les documents tribunaux de cette cause, y compris des arrêts, sont disponible au bureau du greffier. Vous pouvez revue ces documents, sur demande.

Signature of Plaintiff

Print Name: _____

Address: _____

City, State, Zip: _____

Florida Bar No: _____

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 person.

ROGER D. EATON
CLERK OF THE CIRCUIT COURT
AND COUNTY COMPTRROLLER

DATED: _____

(Seal)

By: _____
Deputy Clerk

IN CHARLOTTE COUNTY

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 Jon Embury, Administrative Services Manager, whose office is located at 350 East Marion Avenue, Punta Gorda, Florida 33950, and whose telephone number is 941-637-2110, 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.