

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

Case No. _____

Plaintiff(s)

vs

Defendant(s)

EVICITION SUMMONS

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-styled cause upon the Defendant:

TO DEFENDANT(S):

Defendant Name

Defendant Address

City, State, Zip

Please Read Carefully

You are being sued by Plaintiff, owner, to require you to vacate the premises where you are living for the reasons given in the attached complaint.

You are entitled to a hearing to decide whether you can be required to vacate, but you must do all of the things listed below. You must do them within five (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 the premises.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

1. Write down the reasons(s) why you think you should not be forced to vacate. The written reason(s) must be filed with the Clerk of the Circuit Court, at the Charlotte County Courthouse, 350 East Marion Avenue, Punta Gorda, Florida 33950.
2. As well as the Clerk's office, mail or take a copy of your written reason(s) to the Plaintiff or Plaintiff's attorney whose address is: _____
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/plaintiff's attorney. **NOTE: Any payment into the Registry of the 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 \$500.00 deposited and 1.5% of each subsequent \$100.00.**
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.

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 plaintiff/plaintiff'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. 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.

If you do not do all of these things within 5 days you may be evicted without a hearing or further notice.

PERSONAL SERVICE: If this **SUMMONS** and a copy of the **COMPLAINT** have been personally served upon you or upon anyone residing at your residence who is 15 years of age or older, your **WRITTEN ANSWER AND DEFENSES** must be received by the Clerk **within five (5) WORKING DAYS** of the service as to the claim for possession of the premises.

POSTED-MAIL SERVICE: If this **SUMMONS** and a copy of the **COMPLAINT** have been attached to a conspicuous place on your residence, and thus also mailed by the Clerk of Court who will file a Clerk's Certificate of Mailing, your **WRITTEN ANSWER AND DEFENSES** must be received by the Clerk of the Court **within five (5) WORKING DAYS** of the latter of the two dates: a) when it was attached to some conspicuous place on the property; and b) the date of the Clerk's Certificate of Mailing. Note, the date of posting is the date noted thereon by the Sheriff's Office or the Process Server.

A **DEFAULT** may be entered against you and a **JUDGMENT** to remove you from the property and/or for reasonable costs and attorney's fees may be entered without further notice to you, if you do not follow these instructions.

WITNESS MY HAND AND SEAL OF THIS COURT on the ____ day of _____, 20____.

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

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.