

IN THE COUNTY OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA
IN AND FOR HERNANDO COUNTY, FLORIDA

TO: EACH DEFENDANT OR COUNTER DEFENDANT AGAINST WHOM A FINAL JUDGMENT HAS BEEN ENTERED

FROM: SMALL CLAIMS DIVISION OF THE CLERK OF COUNTY COURT

A final judgment has been entered against you in the records of the County Court, Civil Division, in favor of the plaintiff, as indicated on the judgment. The final judgment will bear interest at the rate of 4.78% per year (as of April 1, 2016) until satisfied. (Interest rates subject to change at the legal rate).

If you feel you have grounds for a rehearing, you have ten (10) days from the date of the final judgment in which to request a rehearing. The request **MUST** be made in writing, stating the reasons you believe you are entitled to a new hearing. You have thirty (30) days from the date of the final judgment in which to file a **NOTICE OF APPEAL**. If you decide to file an appeal, it would be to your advantage to seek the services of an attorney, since the **CIRCUIT COURT** insists upon **STRICT** compliance with the **RULES OF APPELLATE PROCEDURE**. The fee for filing an appeal is \$281.00 plus applicable Recording fee.

There are three (3) actions the plaintiff may take in order to collect the amount of the judgment:

1. Record a certified copy of the final judgment in the **OFFICIAL RECORDS** of any county in the State of Florida in which you own real estate. The recorded judgment puts a lien on any real estate you own.

2. With an order from the Court called a **WRIT OF EXECUTION**, the plaintiff may have the Sheriff levy or seize personal or real property that you own. This might include motor vehicles, boats, household furnishings, etc.

3. The plaintiff may file a **WRIT OF GARNISHMENT** against your wages (provided you are not the head of household*) against your bank account; or against a third party having in his possession money owed to you.

*If you are the head of a household, the Constitution of the State of Florida, **ARTICLE X, SECTION 4 (a) (2)**, entitles you to a \$1,000.00 personal exemption which includes your clothing, household goods, or other items essential to your livelihood.

You are cautioned to be sure to obtain a SATISFACTION OF JUDGMENT from the plaintiff when the judgment has been paid in full. If the person placed a lien against your property, you must record the SATISFACTION OF JUDGMENT in the OFFICIAL RECORDS in every county where the lien is recorded. A copy of the SATISFACTION OF JUDGMENT should also be filed with the Clerk of County Court, to be placed in your court file. The recording of the satisfaction removes the lien from public records.

IT IS IN YOUR BEST INTEREST TO MAKE EVERY EFFORT TO SATISFY THE JUDGMENT AGAINST YOU AS SOON AS POSSIBLE.

This information is furnished to you as a courtesy of this office in an effort to help you better understand your position and what to expect from this court action. It is our desire to help you in every way possible, as provided under the duties of THE CLERK OF CIRCUIT AND COUNTY COURT.

Thank you

SMALL CLAIMS DIVISION OF THE
CLERK OF CIRCUIT & COUNTY COURT
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