

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

TO: EACH PLAINTIFF OR COUNTER CLAIMANT WHO HAS RECEIVED A
JUDGMENT IN A SMALL CLAIMS CASE

FROM: SMALL CLAIMS DIVISION OF THE CLERK OF COUNTY COURT

The Court has ruled in your favor and a judgment has been entered against the defendant. Your judgment will bear statutory interest at the rate of 4.78% (as of April 1, 2016) per year until paid, (Interest Rates Subject to Change at the Legal Rate).

If you feel you have grounds for a rehearing, you must submit, in writing, the reason or reasons you believe you are entitled to a new hearing, within ten (10) days after the judgment was rendered. You have thirty (30) days from the date your judgment was rendered in which to appeal it to Circuit Court, by filing a Notice of Appeal and paying the filing fee of \$281.00 plus applicable Recording fees. If you choose to appeal, it would be to your advantage to seek legal counsel, since the Circuit Court insists upon strict compliance with the RULES OF APPELLATE PROCEDURE.

Enclosed is a copy of said judgment. You may obtain a certified copy (\$1 per page / \$2.00 certification) from the OFFICIAL RECORDS OF HERNANDO COUNTY and record it in the county or counties in the State of Florida in which the defendant may own property. Also an AFFIDAVIT OF CURRENT ADDRESS (Pursuant to Section 55.10, F.S.) must be recorded as a separate document which requires a recording fee of \$10.00. Upon recording, the judgment becomes a lien upon any real estate the defendant owns in that county. The judgment must be re-recorded after a period of time pursuant to Chapter 55, Florida Statutes.

You may record the judgment at the RECORDING DEPARTMENT of THE CLERK OF CIRCUIT COURT, 20 North Main Street, Room 362, Brooksville, Florida 34601, by mail or in person. A recording fee of \$10.00 for the first page and \$8.50 for each additional page must be included with the judgment, i.e., a two page document would be \$18.50 to record. Checks should be made payable to DON BARBEE, JR., CLERK OF COURTS. The recorded document will be returned to you by mail.

You will also be entitled to a WRIT OF EXECUTION, 10 days after your judgment is rendered by the Court, unless execution has been withheld pending payments by the defendant. The writ of execution is an order from the court to the Sheriff of any county of your choice, to levy on personal or real property belonging to the defendant. This property must be designated by you. The Sheriff will require a deposit for costs of levying on said property. For further instructions for levy, please contact the Sheriff in the county in which you intend to levy. If execution has been withheld and payments have not been made, it will be necessary for you to file an affidavit with the CLERK OF COURT, stating the amount owed, before a writ of execution can be issued. An affidavit form is available at the SMALL CLAIMS DIVISION OF THE CLERK OF COURT.

Plaintiffs Instructions

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A WRIT OF GARNISHMENT may also be filed against the defendant's wages, bank account or a third party having in his possession, money owed to the defendant. Due to the complexity of garnishments, we recommend that you consult an attorney or a library with legal texts available, so that the proper procedures are followed. This office cannot prepare the writ of garnishment for you.

When the judgment is paid in full, you are required to furnish the defendant with a SATISFACTION OF JUDGMENT, signed by you, so that he may remove any liens placed on his property by the recording of your judgment against him. Satisfaction of Judgment form is available at the Small Claims Division of the Clerk of Court.

THIS OFFICE CANNOT GUARANTEE THE COLLECTION OF THE AMOUNTS WHICH MAY BE FOUND DUE AND OWING TO YOU IN THE JUDGMENT.

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 THE CIRCUIT AND COUNTY COURT.

Thank you

SMALL CLAIMS DIVISION OF THE
CLERK OF CIRCUIT & COUNTY COURT
20 NORTH MAIN STREET, ROOM #248
BROOKSVILLE, FLORIDA 34601
(352) 540-6377