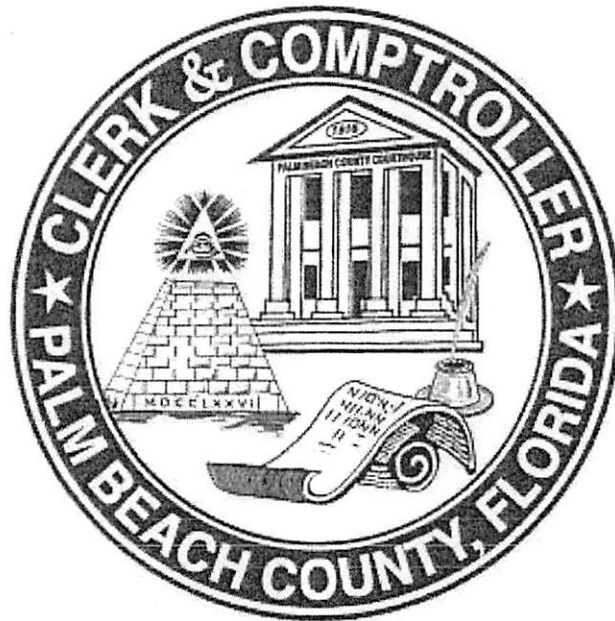


Sharon R. Bock
CLERK & COMPTROLLER
SELF SERVICE CENTER

Your Guide Through The Courts



Packet #54

Revised 09/2014

STATEMENT OF CLAIM
(FOR RETURN OF STOLEN PROPERTY)

NON-REFUNDABLE

(15 PAGES)

\$ 5.00

SELF SERVICE CENTER SERVICES

All instructions and forms distributed by the Clerk & Comptroller are provided as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist *pro se* (self-represented) litigants with their cases. Any person using these instructions and/or forms does so at his or her own risk, and the Clerk shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

Attorney Consultation *	\$15.00/15 minutes
Attorney Consultation *	\$30.00/30 minutes
Attorney Consultation *	\$60.00/60 minutes
Deputy Clerk Signing	\$3.50/signature
Notary signing	\$10.00/signature
Copies prior to filing	\$.15/page
Single Forms	\$1.00/page Fax
Services	\$1.00/page
Community Resource Referral- pamphlets	NO FEE

* Attorneys do not provide legal advice - will assist on procedural matters/filing out legal forms

****FEES ARE SUBJECT TO CHANGE WITHOUT NOTICE****

You may file and obtain information at the following locations:

Palm Beach County Courthouse
205 N. Dixie Highway, Rm #2.2200
West Palm Beach, Florida 33401
561-355-7048

North County Courthouse
3188 PGA Blvd
Palm Beach Gardens, Florida 33410
561-624-6650

South County Courthouse
200 W. Atlantic Ave.
Delray Beach, Florida 33444
561-274-1588

West County Courthouse
2950 State Road 15, Rm. #S-100
Belle Glade, Florida 33430
561-996-4843

<i>The Self Service Information Line.....</i>	<i>(561) 355-7048</i>
<i>Unified Family Court Dept. (for information regarding an existing case).....</i>	<i>(561) 355-6511</i>
<i>Visit us at our web site.....</i>	<i>www.mypalmbeachclerk.com</i>
<i>Legal Aid Society (if you can't afford an attorney).....</i>	<i>(561) 655-8944</i>
<i>Lawyer Referral Service of the PBC Bar Association.....</i>	<i>(561) 687-3266</i>

Revised 04/2013

STATEMENT OF CLAIM FOR RETURN OF STOLEN PROPERTY

54

When should this form be used?

This form should be used when trying to recover your property from a third party (a pawnbroker).

F.S. 539 (15) CLAIMS AGAINST PURCHASED GOODS OR PLEDGED GOODS HELD BY PAWNBROKERS.--

(a) To obtain possession of purchased or pledged goods held by a pawnbroker which a claimant claims to be misappropriated, the claimant must notify the pawnbroker by certified mail, return receipt requested, or in person evidenced by signed receipt, of the claimant's claim to the purchased or pledged goods. The notice must contain a complete and accurate description of the purchased or pledged goods and must be accompanied by a legible copy of the applicable law enforcement agency's report on the misappropriation of such property. If the claimant and the pawnbroker do not resolve the matter within 10 days after the pawnbroker's receipt of the notice, the claimant may petition the court to order the return of the property, naming the pawnbroker as a defendant, and must serve the pawnbroker with a copy of the petition. The pawnbroker shall hold the property described in the petition until the right to possession is resolved by the parties or by a court of competent jurisdiction. The court shall waive any filing fee for the petition to recover the property, and the sheriff shall waive the service fees.

(b) If, after notice and a hearing, the court finds that the property was misappropriated and orders the return of the property to the claimant:

1. The claimant may recover from the pawnbroker the cost of the action, including the claimant's reasonable attorney's fees; and
2. If the conveying customer is convicted of theft, a violation of this section, or dealing in stolen property, the court shall order the conveying customer to repay the pawnbroker the full amount the conveying customer received from the pawnbroker for the property, plus all applicable pawn service charges. As used in this paragraph, the term "convicted of" includes a plea of nolo contendere to the charges or any agreement in which adjudication is withheld; and
3. The conveying customer shall be responsible to pay all attorney's fees and taxable costs incurred by the pawnbroker in defending a replevin action or any other civil matter wherein it is found that the conveying customer was in violation of this paragraph.

(c) If the court finds that the claimant failed to comply with the requirements in paragraph (a) or otherwise finds against the claimant, the claimant is liable for the defendants' costs, including reasonable attorney's fees.

Forms that are in your packet:

	Page
✓ Civil Cover Sheet	6
✓ Statement of Claim for Return of (Stolen) Property	7

These forms should be completed and filed, IF APPLICABLE

✓ Designation of Current Mailing and E-Mail Address and Directions to Provide E-Mail Address to Court Administration, A.O. 2.310 (04/13)	12
✓ Notice of Change of Address, (09/14) (<u>Must be filed whenever you change your address</u>)	15

Filing Fees:

THERE IS NO FILING FEE FOR THIS PROCESS.

READ THE INSTRUCTIONS/INFORMATION BEFORE COMPLETING THE FORMS FOR FILING

DO NOT SIGN ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK

INSTRUCTIONS FOR FILING

- **The forms should be typed or printed in black ink.**
 - **Some of the forms must be signed before a notary or deputy clerk.**
- Wait ten (10) days after notifying the Pawnbroker of your claim, then:

COMPLETING THE FORMS

- The Plaintiff must complete and file original plus 2 copies (one copy is for your records and one copy is for the Defendant) with the Clerk & Comptroller's office of the following forms:
- Civil Cover Sheet
 - Statement of Claim for Return of Stolen Property [attach a copy of the notification to the pawnbroker and a copy of the applicable law enforcement agency report (police report)]
 - You may attach any other documentation you like to your claim
- Each *original* form should have all pages clipped together before filing (copies may be stapled together).
- If you want your copies stamped with the date of filing, make sure you give the Clerk your copies. (If you mail your documents, make sure you provide an extra pre-addressed stamped envelope so they may return your copies)
- Provide 1 pre-addressed stamped envelope for each defendant and 2 self-addressed (YOUR name and address) stamped envelopes.

PROCESSING YOUR CLAIM

- The Clerk will process your claim and forward the claim with an "Order to Show Cause" to the Judge for review.
- If approved, the Court will schedule a hearing, called an "Order to Show Cause Hearing".
- The Court will return your file to the clerk for issuance of the summons along with the order to show cause.
- The Clerk will then issue a summons with the date and time the courts provided on the order to show cause.

SERVICE UPON THE DEFENDANT(S)

WITH A SUMMONS

- The clerk will handle the service of your claim only if the other person resides in Palm Beach County. Pursuant to FL Statute Section 539.001(15), the fee for this service is WAIVED.
- If the Respondent resides outside of Palm Beach County, it is **YOUR RESPONSIBILITY** to contact the Sheriff's Office of that county, in order to have the defendant(s) served with the proper documents. The Plaintiff should have the Clerk issue the summons, then attach one set of copies to the summons and mail or take the summons to the sheriff or process server in the county where the respondent resides.

NOTE: If you are suing an individual, you will need the Defendant's name and address where the property is located. (A post office box cannot be served by the Sheriff's Department).

If you are suing a corporation, you will need to research, via the Internet at www.sunbiz.org, to get the registered agent for the company/corporation. The registered agent's name and service address will be required. If there is no registered agent listed, you may use the name and address of one of the officers of the company/corporation.

To research the registered agent:

- Go to www.sunbiz.org
- Under Our Site Index, scroll and click on Corporations, Trademarks and Limited Partnerships
- Click on Name List
- Enter the Corporations FULL, LEGAL NAME
- Click Submit
- Select the appropriate corporation name
- Scroll down to retrieve the registered agent's name and service address
- If no registered agent's name is listed, proceed to use an officer or director of the company/corporation
- If no company name is listed, it is your responsibility to decide how to pursue the lawsuit.

CAUTION:

Forms are to be completed in block letters or typed; NO EXCEPTIONS!! Names must be the same on all forms completed by the parties (no full names on one document and initials on another). This packet may not contain all the forms you may need to file in your case. Additional forms are available in the Clerk & Comptroller's Self Service Center at each courthouse location. The Clerk & Comptroller's Clerks can not suggest specific information to be included in the blanks on your forms or fill out forms for you.

It is your responsibility to file any change to your address on the attached form.

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

IN RE: THE MATTER OF:

PLANTIFF

v.

DEFENDANT

_____ /

COUNTY & SMALL CLAIMS CIVIL COVER SHEET

I. TYPE OF CASE (Place an x in one box only. If the case fits more than one type of case, select the most definitive.)

TORTS

- Auto negligence*
- Professional malpractice*
- Products liability*
- Other negligence*

OTHER CIVIL

- Challenge to proposed constitutional amendment*
- Condominium*
- Contracts*
- Civil Replevin*
- Eviction*
- Foreclosure*
- Arbitration/Foreign Judgment*
- Personal Injury Protection (PIP) (claims up to \$5,000)*
- Personal Injury Protection (PIP) (claims from \$5,000.01-\$15,000.00)*
- Real property/Mortgage foreclosure*
- Wage Dispute (claims up to \$5,000)*
- Wage Dispute (claims from \$5,000.01-\$15,000.00)*
- Other County Civil* _____
- Small Claims other than Wage Dispute and PIP*

II. IS JURY TRIAL DEMANDED IN COMPLAINT?

- Yes
- No

III. CLAIMS/PARTIES

Has there been a previous case filed in Palm Beach County/15th Judicial Circuit which involved the same claim against the same adverse party and which was voluntarily or involuntarily dismissed?

- Yes. Please provide the appropriate case number(s) _____.
- No

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature _____
Attorney or party

Fla. Bar# _____
(Bar # if attorney)

_____ Date _____

(type or print name)

Revised 12/2012

**IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA**

Case No: _____

Plaintiff,

vs.

Defendant/Pawnbroker.

STATEMENT OF CLAIM FOR RETURN OF PROPERTY

Plaintiff(s) _____ sue(s)
Defendant(s) _____, and alleges:

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 the 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 misappropriating of the property. No resolution between plaintiff and defendant pawnbroker could be reached within 10 days after the delivery of the notice.

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

Plaintiff's (signature)

Address

City, State, Zip Code

Day telephone number

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to or affirmed and signed before me on _____ by _____

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy clerk.]

___ Personally known

___ Produced identification

Type of identification produced: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____, {city} _____,
{state} _____, {phone} _____, helped {name} _____,
who is the [✓ one only] ___ petitioner or ___ respondent, fill out this form.

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.



THE
15TH JUDICIAL CIRCUIT
OF FLORIDA
ADMINISTRATIVE OFFICE OF THE COURT

E-SERVICE INSTRUCTIONS FOR SELF REPRESENTED PARTIES

Pursuant to the Florida Rule of Judicial Administration 2.516, self-represented parties involved in any type of case in any Florida court, may, but are not required to, serve on the opposing party's attorney court documents by e-mail.

E-mail Service to/from an Opposing Party: Self-represented parties opting to serve court documents by e-mail may do so by designating a primary e-mail address (and up to 2 secondary e-mail addresses) for receiving service in that proceeding. This designation only informs the other side of your email address. Once a party has filed an e-mail address designation in a proceeding, all court documents required or permitted to be served on a party must be served by e-mail unless the parties otherwise agree or a court orders otherwise.

E-Mail Service from Participating Judges: Self-represented parties who want to receive court orders and other court documents from judges who use e-mail service **MUST** register with the 15th Judicial Circuit's online services system at www.15thcircuit.com/html/onlineservices. You will **NOT** receive court documents from participating judges unless and until you register with the 15th Judicial Circuit's online system.

Form of Email: E-mail service is made by attaching a copy of the document to be served in PDF format to an e-mail. The e-mail's subject line must state "SERVICE OF COURT DOCUMENT" in all capital letters, followed by the case number of the relevant proceeding. The body of the e-mail must identify the: (1) court in which the proceeding is pending; (2) case number; (3) name of the initial party on each side; (3) title of each document served with that e-mail; (4) sender's name; (5) sender's telephone number. The e-mail and attachments together may not exceed 5 megabytes in size; e-mails that exceed the size requirement must be divided into separate e-mails (no one of which may exceed 5 megabytes) and labeled sequentially in the subject line. Documents served by e-mail may be signed by "/s/", "/s" or "s" as long as the document filed with the Clerk's Office is signed in accordance with the applicable rule of procedure.

Service Dates: Service by e-mail is deemed complete on the date it is sent. E-mail service is treated as service by mail for the computation of time. When, in addition to service by e-mail, the sender also utilizes another means of service provided for in the Rules of Judicial Administration, the computation of time will be based on the method of service that has the shortest response time.

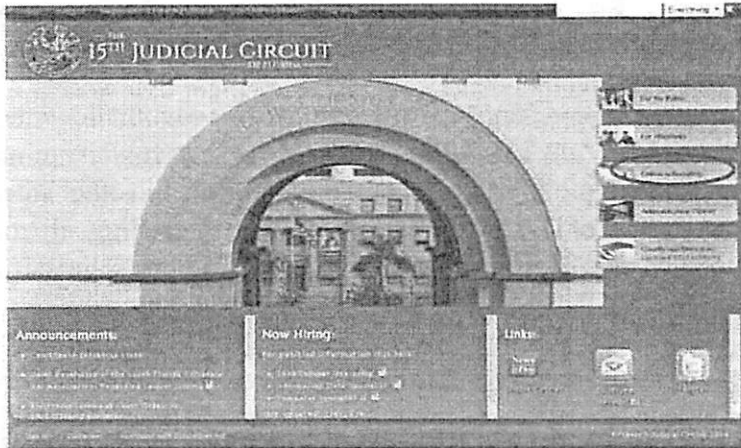
Filing of Documents: The Rules of Judicial Administration require that all documents be filed with the court either before service on the opposing party or immediately thereafter. Documents are deemed filed when they are filed with the clerk of court. If the sender learns that the e-mail did not reach the address of the person to be served, the sender must immediately send another copy by e-mail, or serve by a means authorized by subdivision (b)(2) of the Rules of Judicial Administration.

Instructions for E-Service Registration for Self Represented Litigants, (06/13)

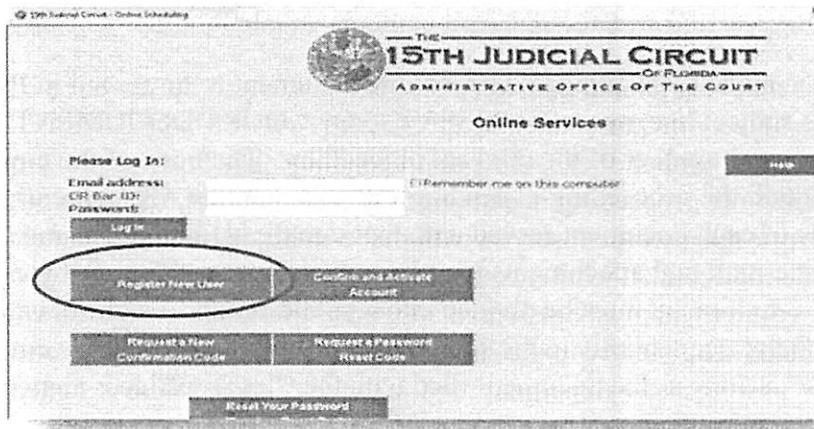


THE
15TH JUDICIAL CIRCUIT
OF FLORIDA
ADMINISTRATIVE OFFICE OF THE COURT

Instructions for E-Service Registration For Self Represented Litigants

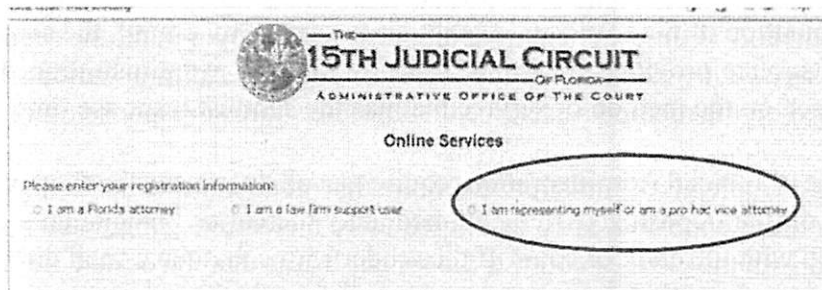


- Go to www.15thcircuit.com
- Select [Online Scheduling](#)
- Select [Online Scheduling Application](#)



This will take you to the Log In Screen.

First time users click on "Register New User".



Select the "Pro se/ Pro hac vice" button

Enter the information requested in the fields provided.

NOTE:

The e-mail address listed here is for logging into Court e-service applications. This address is NOT FOR USE as an e-service email address unless you want it to be.

Simply type the code in the space provided and press the green submit button.

The account has now been created.
A confirmation email will be sent to registered login email address.

IMPORTANT:

The user MUST accept and login within 24 hours.

IN THE CIRCUIT/COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: _____

Plaintiff/Petitioner

v.

Defendant/Respondent.

**DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS AND
DIRECTIONS TO PROVIDE E-MAIL ADDRESS TO COURT ADMINISTRATION**

I, (full legal name) _____, being sworn, certify that my current
mailing address is: {Street} _____

{City} _____, {State} _____, {Zip} _____

{Telephone No.} _____ {Fax No.} _____

I designate as my current e-mail address(es) (up to 3 different email address): _____

1. I understand that in order to receive court orders from participating judicial divisions in the Fifteenth Judicial Circuit/Palm Beach County, I must register my email address with Court Administration by going to www.15thcircuit.com/html/onlineservices.
2. I further understand that simply listing an email address on this form will NOT inform the judge or case manager of my email address and that I MUST register on line with the Court's online e-registration system.
3. Once registered, I agree to accept email service of court orders or documents sent by the court.
4. By completing this form I am authorizing participating Judicial Divisions and the Court of the Clerk, of the Fifteenth Judicial Circuit Court of Florida to send copies of orders/judgment, notices or other written communications to me by e-mail and not through regular U.S. Mail.
5. I understand that I must keep the clerk's office and the opposing party or parties notified of my current mailing and e-mail address(es) and that all future papers in this lawsuit will be served at the address(es) on record at the clerk's office.
6. I will ensure the software filters have been removed from my computer, so it does not interfere with my ability to receive any of the above documents.

I certify that a copy of this document was {check all used}: () e-mailed () mailed () faxed () hand-delivered to the person(s) listed below on {date}_____.

Other party or his/her attorney

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

E-Mail Address(es): _____

Dated: _____

Signature of Party

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name
of notary or clerk]

_____ Personally Known

_____ Produced Identification

Type of identification produced _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:**

[fill in all blanks] This form was prepared for the: {choose only one} () Petitioner () Respondent

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{street} _____

{city} _____, {state} _____ {telephone number} _____

Designation of Current Mailing and E-Mail Address and Directions to Provide E-mail Address to Court Administration (04/13)

INSTRUCTIONS FOR NOTICE OF CHANGE OF ADDRESS

When should this form be used?

This form should be used when you make any changes to your mailing/e-mailing address at anytime during the course of the case.

This form should be typed or printed in black ink. You should **file** the original with the **clerk of the circuit court** in the county where the petition was filed and keep a copy for your records.

What should I do next?

A copy of this form must be mailed or hand delivered to the other party in your case.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. The words that are in “**bold underline**” in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

Special notes...

It is the party's responsibility to timely update their address. If you do not update your address timely, you may not receive documents filed in your case.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA

Case No.: _____
Division: _____

Plaintiff/Petitioner,

V.

Defendant/Respondent.

NOTICE OF CHANGE ADDRESS

Please be advised that the undersigned has changed their mailing address to:

Address: _____

City: _____

State: _____

Zip code: _____

Phone Number: _____

Please be advised that the undersigned has changed his/her email address to the following:

Email Address: _____

Signature

Printed Name

CERTIFICATE OF SERVICE

I certify that a copy of this document was mailed to the person listed below by U.S. Mail on the following date: _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

E-Mail: _____

Signature