

CLERK OF COUNTY COURT

4010 LEWIS SPEEDWAY

ST. AUGUSTINE, FL. 32084

SMALL CLAIMS INFORMATION

(904)819-3600 EXT: 4420, 4421, 4470

Or 819-3650

Email: jjackson@sjccoc.us or jmarchalleck@sjccoc.us

REPLEVIN INSTRUCTIONS

- 1) REPLEVIN CASES; NOT EXCEEDING \$5,000.00 FORMS AND ASSISTANCE CAN BE PROVIDED. BUT KEEP IN MIND WE CAN NOT GIVE YOU LEGAL ADVISE.
- 2) IN ORDER TO FILE A REPLEVIN ACTION YOU MUST HAVE KNOWLEDGE OF WHERE THE PROPERTY IS LOCATED AND WHO IS HOLDING IT. **REPLEVIN ACTIONS ARE FILED IN THE COUNTY WHERE THE PROPERTY IS LOCATED.**
- 3) WHEN FILING A REPLEVIN ACTION, ATTACH ANY PAPERWORK YOU MAY NEED TO PROVE OWNERSHIP TO THE PROPERTY IN QUESTION
- 4) AFTER YOU COMPLETE YOUR COMPLAINT FOR REPELVIN, WITH ATTACHMENTS (IF ANY), YOU NEED TO MAKE A COPY OF EVERYTHING FOR **EACH** DEFENDANT AND A COPY FOR YOUR PERSONAL RECORDS. IF YOU DO NOT MAKE THESE COPIES, THE CLERKS OFFICE CAN MAKE THE COPIES, BUT THE CHARGE WILL BE \$1.00 PER PAGE.

PLEASE REMEMBER NOT TO ABBREVIATE ON THE DESCRIPTIONS OF THE ITEMS WE CAN NOT TELL WHAT IT IS THAT YOU ARE TRYING TO GET RETURNED. GIVE US A FULL DESCRIPTION OF ALL ITEMS, SIZE, COLOR, NUMBERS, ET AL. IF YOU DO NOT HAVE ENOUGH ROOM ON THE ORIGINAL COMPLAINT YOU MAY ATTACH ANOTHER PAPER TO THE COMPLAINT TO FULLY DESCRIBE ALL ITEMS.

AFTER YOU HAVE FILED YOUR CASE IN, AN ORDER TO SHOW CAUSE WILL BE SENT TO THE JUDGE FOR A SIGNATURE, ONCE SIGNED, THIS WILL ALL BE SENT TO THE SHERIFFS OFFICE TO BE SERVED. THE FEE FOR SERVICE IS \$40.00 PER PERSON. WE WILL ALSO MAIL A COPY OF THIS TO YOU WITHIN 2 WEEKS AFTER THE DATE OF FILING, ON THIS PAPER YOU WILL SEE THE DATE AND TIME OF THE COURT DATE.

- 5) IF YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT THE SMALL CLAIMS DEPARTMENT AT THE NUMBER LISTED ABOVE.
- 6) ATTACHED IS A FILING FEE SCHEDULE, YOU WOULD NEED TO LOOK AND SEE WHAT THE VALUE OF THE ITEMS ARE, SEE WHAT THAT FEE IS AND THEN ADD \$75.00 REPLEVIN FEE.
- 7) PLEASE NOTIFY OUR DEPARTMENT IF YOUR CLAIM HAS BEEN SETTLED IN ANY WAY PRIOR TO YOUR COURT DATE. WE NEED TO CLOSE THIS CASE OUT AND INFORM THE JUDGES OFFICE.

PLEASE KEEP IN MIND THAT THIS DEPARTMENT "CANNOT" GIVE ANY LEGAL ADVICE OR INTERPRET THE LAW FOR YOU.

**IN THE COUNTY COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN
AND FOR ST. JOHNS COUNTY
CASE NUMBER:
DIVISION:**

NAME (S) OF PLAINTIFF

ADDRESS

CITY, STATE, ZIP, PHONE
VS

NAME (S) OF DEFENDANTS

ADDRESS

CITY, STATE, ZIP, PHONE

COMPLAINT FOR REPLEVIN

The Plaintiff, _____ sues
Defendant, _____, and alleges:

1. This is an action for Replevin of certain personal property having a value of \$ _____ exclusive of costs, interest, and attorney's fees.
2. The Plaintiff is the owner of the personal property described, located and valued as follows:

Description of property: _____

Location of property: _____

Value of property: _____

3. The Plaintiff's source of title to, or right to possession of said property is as follows: _____

4. Said property has not been taken for any taxes, assessments or fine levied by any law of this state nor seized under any execution or attachment against the property of the Plaintiff herein.
5. Defendant detains said property from the Plaintiff in _____ County, Florida. This means by which the Defendant came into possession and the cause of detention thereof is as follows:

WHEREFORE, the Plaintiff demands Judgment for possession of said property, damage its retention, attorney fees if lawful and court cost.

Plaintiff

**STATE OF FLORIDA
COUNTY OF ST. JOHNS**

_____ being duly sworn on oath states the foregoing claim is a just and true statement owing by the Defendant to the Plaintiff.

Plaintiff

Subscribed and sworn to me before this _____ day of _____, 20_____.

SCHEDULE OF FEES

As of July 1, 2008

All Filing Fees and Sheriff's fees are due at the time of filing your suit.

Filing Fees are made payable to: **CHERYL STRICKLAND Clerk of Courts**, and may be paid for by Local Business or Personal Check, Money Order, Cashiers Check, Cash, and Maser Card or Visa.

**** NO OUT OF STATE PERSONAL CHECKS **
PERSONAL CHECKS MUST HAVE LICENSE NUMBERS ON THEM.**

SMALL CLAIMS

CLAIMS \$0 to \$99.99	\$55.00
CLAIMS of \$100 to \$500	\$80.00
CLAIMS of \$500.01 to \$2,500	\$175.00
CLAIMS of \$2,500.01 to \$15,000	\$300.00

REMOVAL OF TENANT

EVICTION-NO BACK RENT	\$270.00
EVICTION-BACK RENT UP TO \$100	\$325.00
EVICTION-BACK RENT \$100 to \$500	\$350.00
EVICTION-BACK RENT \$500 to \$2,500	\$445.00
EVICTION-BACK RENT \$2,500 to \$15,000	\$570.00

REPLEVIN ACTIONS (in addition to filing fee) \$85.00

GARNISHMENT ACTIONS \$188.00
(\$100.00 Garnishee's Attorney fee) + (\$85 Filing Fee) + (\$3.00 Registry of Court Fee)

ATTACHMENT AND DISTRESS ACTIONS \$75.00

SHERIFF FEES PER DEFENDANT

SERVICE OF SUMMONS	\$20.00
WRIT OF REPLEVIN	\$70.00
WRIT OF GARNISHMENT	\$20.00
WRIT OF POSSESSION	\$20.00
WRIT OF EXECUTION	\$20.00

NOTE: FOR YOUR CONVENIENCE THE CLERK OF COURT WILL ACCEPT PERSONAL CHECKS FOR THE FILING FEES AND THE SHERIFF'S SERVICE FEES.

IMPORTANT: IF THE DEFENDANTS ADDRESS IS OUTSIDE ST. JOHNS COUNTY PAYMENT FOR SERVICE OF PROCESS MUST BE MADE BY MONEY ORDER OR BUSINESS CHECK.

**** (NO CASH OR PERSONAL CHECKS WILL BE ACCEPTED!)****
