COMPLAINT FOR DECLARATORY JUDGMENT

PACKET FEE: \$ 1.80

THIS PACKET IS DESIGNED TO HELP PERSONS SEEKING TO REPRESENT THEMSELVES IN COURT WITHOUT THE ASSISTANCE OF AN ATTORNEY. <u>IT IS MEANT TO SERVE AS A GUIDE</u> ONLY.

WE DO NOT GUARANTEE THAT EITHER THE INSTRUCTIONS OR THE FORMS WILL ACHIEVE THE RESULT DESIRED BY THE PARTIES OR ENSURE THAT ANY INDIVIDUAL JUDGE WILL FOLLOW THE PROCEDURE EXACLTY OR ACCEPT EACH AND EVERY FORM DRAFTED. ANY PERSON USING THESE INSTRUCTIONS AND FORMS DO SO AT HIS OR HER ON OWN RISK. FILING FEES ARE NON-REFUNDABLE

PLEASE NOTE

FLORIDA LAW PREVENTS OUR STAFF FROM PROVIDING LEGAL ADVICE

CLAIM AMOUNT :	<u>FILING FEE</u> :
Under \$100	\$ 55.00
\$101 - \$500	\$ 80.00
\$501 - \$2,500	\$175.00
\$2,501 - \$15,000	\$300.00
\$15,001 - \$30,000	\$400.00

ADDITIONAL FEES:

- ✓ Summons fee is \$10.00 per Summons.
- ✓ 3% service charge will be added when using debit/credit cards.
- ✓ A fee will be required to serve each defendant. The Washington County Sheriff's Office charges \$40.00 for each Defendant served.

***READ ALL INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THE FORMS AND SUBMITTING THEM FOR FILING. ***

DOCUMENTS MUST BE LEGIBLE, TYPEWRITTEN OR HANDWRITTEN IN BLACK OR BLUE INK.

For further information, contact the Clerk of Court's Office at (850) 638-6285.

IF YOU HAVE LEGAL QUESTIONS, PLEASE CONSULT WITH AN ATTORNEY.

FILING CHECKLIST

STEP ONE (FILE YOUR CASE)

FLHSMV FORN	M 90510 – MOTOR VEHICLE, VESSEL AND MOBIL HOME RECORDS REQUEST
	Complete the top portion of the form, sign and provide telephone number. Take the
	completed form to the Department of Highway Safety and Motor Vehicles (located in
	the Tax Collector's Office) to obtain the vehicle owner's name and last known address
COMPLAINT F	OR DECLARATORY JUDGMENT AND RELIEF
	Complete this form in its entirety, sign in the presence of a notary public Attach a copy of your Bill of Sale
	Attach a copy of documentation received from Department of Highway Safety and
	Motor Vehicles (Tax Collector) showing the owner's name and last known address
	Attach any other documentation proving your ownership
SUMMONS FO	R PERSONAL SERVICE
	Complete this form
A FFIDAVIT FO	OR VEHICLE TITLE APPLICATION
AFFIDAVII FO	
	Complete this form, sign in the presence of a notary public
VEHICLE IDEN	NTIFICATION NUMBER AND ODOMETER VERIFICATION
	Complete this form, and have the vehicle inspected by a deputy/law enforcement
	officer. This can be done by either by taking the vehicle to the Sheriff's Office/Police
	Department or, if the vehicle is immobile, have a deputy/law enforcement office come
	to the location of the vehicle for inspection. The deputy/law enforcement officer will
	complete the remainder of the form

STEP TWO (SERVE THE DEFENDANT(S))

The Clerk will provide you with the necessary copies to deliver to the Washington County Sheriff's Office and the copy to mail to the Department of Highway Safety & Motor Vehicles (Tax Collector).

Once served with a copy of the lawsuit, Defendant(s) has/have 20 calendar days to file his/her written defenses to the Complaint.

If the Defendant(s) DID NOT Respond BUT did get served: MOTION FOR CLERK'S DEFAULT Fill in the names of the Plaintiff(s) and Defendant(s). Sign and print name, address, telephone number and email address MOTION FOR DEFAULT JUDGMENT Fill in the names of the Plaintiff(s) and Defendant(s). Sign and print your name, address and telephone number and email address If the Defendant(s) DID Respond: The Judge will set a hearing If the Defendant(s) is/are UNABLE to be served: If attempts to serve the Defendant(s) were unsuccessful, you may serve the Defendant(s) by publication in the local newspaper. The following forms are necessary. AFFIDAVIT OF DILIGENT SEARCH Complete this form. Check all actions that were attempted. THIS FORM MUST BE NOTARIZED. THE CLERK'S OFFICE CHARGES \$10.00 FOR THIS SERVICE. NOTICE OF ACTION Complete this form. The clerk will and seal the document when it is filed. This document must be taken to the local newspaper of your choice for publication. The ad must run in the paper once a week for four (4) consecutive weeks. The newspaper will charge you a fee for publication. The newspaper will provide you with a notarized affidavit of proof that the document was published according to Florida Statutes. This document must be filed with the Clerk of Court. Along with the affidavit from the newspaper, you will need the following documents: MOTION FOR CLERK'S DEFAULT Fill in the names of the Plaintiff(s) and Defendant(s), sign and print name, address and telephone number. MOTION FOR DEFAULT JUDGMENT Fill in the names of the Plaintiff(s) and Defendant(s), sign and print name, address and telephone number. The Clerk of Court will submit the forms, above, to the assigned judge for review.



FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES

DIVISION OF MOTORIST SERVICES

2900 Apalachee Parkway, Room B231, Mail Stop 57 Neil Kirkman Building - Tallahassee, FL 32399

MOTOR VEHICLE, VESSEL AND MOBILE HOME RECORDS REQUEST FEES ARE REQUIRED AT TIME OF REQUEST AND ARE PAYABLE TO DIVISION OF MOTORIST SERVICES.

PLEASE ALLOW A 2-WEEK PROCESSING TIME FROM THE DATE WE RECEIVE THIS REQUEST.

Requester's Information:						
Name of Requester	Date of	Request		Reference # (Case/File Name)		
Street Address	To receive personal information, provide the exemption number(s) above from the list on the back of this form . * If you request your own personal information, see note below.			Email Address		
City	State	Zip		Fax Number		
I may not redisclose this	s information, e	xcept as pr	ovided in sect	information and understand that ion 119.0712(2), Florida Statutes, LS.C. ss. 2721 et seq.		
Signature of Requester or Conta	ct Person			Telephone Number		
*NOTE: If requesting your ow	n personal info	ormation yo	ou must sign	this request.		
Type of Record Request:	Motor Vehicle	☐ Vess	el 🗌 Mobil	e Home		
Certified Record Request (An a	dditional \$3.00 is	required per	record)	(Records are available up to 10 years. You may attach a separate sheet for additional requests.)		
CURRENT REGISTRATION RE	QUEST - \$.50	Each				
VIN/HIN Number	Make	Year	Title Number	License Plate or FL #		
☐ Current	OR		(as of):	Month Day Year		
TITLE RECORD REQUEST (By	Vehicle/Vess	el Identifica	ation Number	or Title Number Only)		
	•					
VIN/HIN Number		Title Number				
☐ Title History Printout (lists ow	ner(s) of vehicle) - \$1.00	☐ Complete	e Title History (scanned Images)- \$25.00		
Specific Title Transaction - \$	1.00 Per Page			.00 as initial payment for each record. The fee is \$1 tional fees are required, we will contact you.		
(Month, Day and Year)						
MOTOR VEHICLE RECORD RI	QUEST BY N	AME AND F	PERSONAL II	NFORMATION - \$.50 Each		
First Middle	Last		Date of Bi	rth Driver License/ID number		

DRIVER'S PRIVACY PROTECTION ACT EXEMPTIONS

Pursuant to section 119.0712(2), F. S., personal information in motor vehicle and driver license records can be released for the following purposes, as outlined in 18 United States Code, section 2721.

Personal information referred to in subsection (a) shall be disclosed for use in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of titles I and IV of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and chapters 301, 305, and 321-331 of title 49, and, subject to subsection (a)(2), may be disclosed as follows:

- 1. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
- For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product
 alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle
 market research activities, including survey research; and removal of non-owner records from the original owner records of
 motor vehicle manufacturers.
- 3. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only -
 - (a) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and
 - (b) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
- 4. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.
- 5. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.
- 6. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
- 7. For use in providing notice to the owners of towed or impounded vehicles.
- 8. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
- 9. For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under chapter 313 of title 49.
- 10. For use in connection with the operation of private toll transportation facilities.
- 11. For any other use in response to requests for individual motor vehicle records if the State has obtained the express consent of the person to whom such personal information pertains.
- 12. For bulk distribution for surveys, marketing or solicitations if the State has obtained the express consent of the person to whom such personal information pertains.
- 13. For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
- 14. For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.

If you have questions or need additional information, please contact the Department's Customer Service Center at (850) 617-2000.

Visit our website: www.flhsmv.gov

V .	Plaintiff CASE NO.:
	, Defendant
	COMPLAINT FOR DECLARATORY JUDGMENT
comp 319, F	Plaintiff,, files this laint seeking a declaratory judgment and other relief pursuant to Sections 86 and Florida Statutes, and alleges as follows:
1.	This is an action requesting declaratory judgment and other relief involving the acquisition of a clear title for a
2.	The Plaintiff is a resident of County, Florida, and the owner of
	purchased and paid for in, County, Florida.
3.	The property has an estimated value of \$, which is the jurisdictional amount of this Court.
4.	This Court has jurisdiction in this matter.
5.	On, the Plaintiff paid and purchased for the sum of \$
6.	The VIN# is
7.	Upon Plaintiff's purchase of the, the owner,, did not give the Plaintiff the original title.
8.	The Plaintiff has taken the following actions to secure legal title:

- 9. The Plaintiff has complied the requirements of the Department of Highway Safety and Motor Vehicles.
- 10. The Plaintiff has no alternative but to seek the intervention of this Court and request the Court grant relief in this matter.

WHE matter, and	REFORE, Plaintiff requests this Court to take immediate jurisdiction in this
A.	Enter a declaratory judgment finding that based upon the circumstances outlined in this complaint that the document attached to this complaint is sufficient to facilitate the issuance of a duplicate title.
B.	Enter a declaratory judgment requiring the Department of Highway Safety and Motor Vehicles to issue a duplicate title for:
	, which is currently in the possession of the Plaintiff, as expeditiously as possible. This judgment would enable the Plaintiff to comply with the Florida law that requires the registration and licensing of this vehicle.
to State of F	by certify that a copy of the above has been furnished by regular U.S. Mail lorida Department of Highway Safety and Motor Vehicles, 2900 Appalachee llahassee, FL 32399, thisday of, 2020.
	Plaintiff's Signature
	Plaintiff's Printed Name
	Address
•	City, State ZIP
	Telephone Number
	Email Address

STATE OF FLORIDA COUNTY OF WASHINGTON

Sworn to or affirmed and signed be	efore me on this _		lay o	f				
2020, by		(Name	of .	Affiant)	who	is	(
personally known to me or who (as identification.) has produced							
	Notary Pub	lic Signa	iture					
	Name Print	ted						_

Plaintiff		
v.	C	CASÉ NO
, Defendant		
SUMMONS FOR PERSON	NAL SERVICE	ON INDIVIDUAL
TO:	FROM:	
(Defendant's name and address)		(Plaintiff's name and address)
A lawsuit has been filed against you. is served on you to file a written response the Court.		
A telephone call will not protect you. Your above and the names of the parties, must case. If you do not file your response on tir and property may thereafter be taken with legal requirements. You may want to call call an attorney referral service or legal aid.	be filed if you me, you may l nout further w an attorney, if	want the court to hear your side of the ose the case, and your wages, money, arning from the court. There are other you do not know an attorney you can
If you choose to file a written response response to the court, you must also manned above		
To the State of Florida:		
To Each Sheriff of the State: You are con Complaint in this lawsuit on the above name		
Dated on this day of,	2020.	
		A C. BELL County Clerk of Court
	By:	nuty Clerk

	C	ASE NO	
AFFIANT:			
NAME:	•		
ADDRESS:	CITY:	STATE:	ZIP
TELEPHONE:	EMAIL ADDRE	SS:	
VEHICLE INFORMATION:			
YEAR: MAKE:	MODEL	: BC	DDY:
VEHICLE IDENTIFICATION NU	MBER (VIN):		
PURCHASE PRICE: \$	VALUE \$	DATE OF PUR	RCHASE:
AMOUNT OWED ON VEHICLE	\$		
PURCHASED FROM:			
ADDRESS:	CITY:	STATE:	ZIP
I did not receive title at the ti	me of purchase because	::	
I cannot receive title at this ti	me because:		
I have conducted a diligent se	arch in accordance with	the attached Affida	avit of Diligent Search.
**I have attached a letter fro today's date, confirming this v			
Date:	Signature of A	ffiant:	
STATE OF FLORIDA COUNTY OF WASHINGTON Sworn to or affirmed and sign	ed before me on	by_	
() Personally Known () Produ	uce Identification: Type	of ID	
	 N	otary Public Signatu	ıre

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES DIVISION OF MOTORIST SERVICES

SUBMIT THIS FORM TO YOUR LOCAL TAX COLLECTOR OFFICE

www.flhsmv.gov/offices/

VEHICLE IDENTIFICATION NUMBER AND ODOMETER VERIFICATION

PART A - OWNER'S VEHICLE IDENTIFIC (Completion of this part requires					
AFFIDAVIT:	AFFIDAVIT: DATE:				
This is to certify that I, the undersigned, am on the date entered above, made a physic number and other identification information	al inspection	of the motor	vehicle and	e described of	on this form and that I have,
VEHICLE IDENTIFICATION (MOTOR NUI	MBER ALL MAR	KES THROUGH	1954 - IDENTI	FICATION NUN	MBER 1955 AND LATER)
Vehicle Identification Number	Year	Make	Color	Body	Previous State Vehicle Titled In
ODOMETER DECLARATION WARNING: Federal and State law requ Certificate of Title. Failure to complete of	ire that you or providing	state the mi	leage in co ement may	nnection wi result in fin	th an application for a es and/or imprisonment.
I WE STATE THAT THIS 5 OR 6	DIGIT ODON	METER NOW I	READS 🗌		XX (NO TENTHS)
MILES, DATE READ//	AND I/W	E HEREBY C	ERTIFY TH	AT TO THE E	BEST OF MY KNOWLEDGE
THE ODOMETER READING:					
		SS OF ITS MECH			3. is NOT THE ACTUAL MILEAGE.
UNDER PENALTY OF DOCUMEN	T AND THAT	THE FACTS S	STATED IN I	T ARE TRUE.	REGOING
(Owner's Signature)				(Owner's Pr	inted Name)
PART B – VERIFICATION OF THE VEHIC This section requires a physical inspection and a vehicles manufactured prior to 1955) of the moto Officer, or Florida Division of Motorist Services E VIN, the verification must be submitted on their I (with abbreviation of "TL" with a weight of 2,000	a verification o or vehicle desc Employee or T etterhead stat	of the vehicle id cribed on this for ax Collector Er ionery. Comple	entification no form by a Flor nployee. If a ete this section	ida Notary Pu n out-of-state on on all used	blic, Licensed Dealer, Police motor vehicle dealer verifies the
I, the undersigned, certify that I have physically in the vehicle to be identifical to the vehicle identification.	nspected the a ation number r	above describe ecorded on thi	ed vehicle and s form.	d find that the	vehicle identification number on
UNDER PENALTY OF PERJURY, I DECLAND THAT THE FACTS STATED IN IT ARE		HAVE READ	THE FORE	GOING DO	CUMENT
Date:			•		(Seal)
Commissioned Name of Florida Notary:(Pri	nt, Type or Stan	N	lotary's Signa	ature:	
If other than a Notary, check the box below that	t applies, and	sign and com	plete the cor	responding fi	elds. Verified by:
Florida Compliance Examiner/Inspector(DN	IS/TC Employ	/ee) Lav	v Enforcemer	nt Officer	Florida Licensed Dealer
Signature:	P	rinted Name: _			
Florida Compliance Examiner/Inspector Name:				Badge o	or ID #:
Law Enforcement Agency Name:				LEO Bad	dge #:
Florida Dealer Name:			Florida	Dealer#:	

♦ NOTICE: ANY ALTERATION OR ERASURE MAY VOID THIS DOCUMENT ◆

HSMV 82042 (REV. 06/19)

www.fihsmv.gov

WHO IS AUTHORIZED TO COMPLETE THIS FORM?

ANY PERSON OR AUTHORIZED AGENT OF ANY PERSON REQUIRED TO MAKE APPLICATION FOR CERTIFICATE OF TITLE AND/OR REGISTRATION.

WHEN SHOULD THIS FORM BE COMPLETED?

ON ALL USED MOTOR VEHICLES, INCLUDING TRAILERS NOT CURRENTLY TITLED IN FLORIDA, WITH A NET WEIGHT OF 2,000 POUNDS OR MORE.

WHEN SHOULD THIS FORM NOT BE COMPLETED?

WHEN CERTIFICATE OF TITLE IS BEING APPLIED FOR ON ONE OF THE FOLLOWING:

- NEW MOTOR VEHICLE, REGARDLESS OF WHETHER PURCHASED IN FLORIDA OR OUT-OF-STATE
- 2. MOBILE HOME
- 3. TRAILER OR SEMITRAILER WITH A NET WEIGHT OF LESS THAN 2,000 POUNDS
- 4. TRAILER TYPE RECREATIONAL VEHICLE (TRAVEL TRAILERS AND CAMP TRAILERS)
- 5. OFF-HIGHWAY VEHICLE

VIN VERIFICATION BY AN OUT OF STATE MOTOR VEHICLE DEALER:

IF THE VEHICLE IDENTIFICATION NUMBER (VIN) IS VERIFIED BY AN OUT-OF-STATE MOTOR VEHICLE DEALER, THE VERIFICATION MUST BE SUBMITTED ON THEIR LETTERHEAD STATIONERY.

Check your local phone book government pages or visit the following website for current mailing addresses: http://www.flhsmv.gov/offices/

		Pla	aintiff
V.			CASE NO
		Defe	endant
		MOTIC	ON FOR CLERK'S DEFAULT
respo			enter a default against Defendant(s), for failing to aintiff's Complaint.
	Dated this	day of	, 2020.
			Plaintiff's Signature
			Plaintiff's Printed Name
			Address
			City, State ZIP
			Telephone Number
			Email Address
			•
			<u>DEFAULT</u>
law.	A default is ent	ered in this	s action against the Defendant for failure to respond by
	Dated this	day of _	, 2020.
			LORA C. BELL Washington County Clerk of Court
			By: Deputy Clerk
			Deputy Clerk

	Plaintiff	1				
V.			Case No.:			
	Defendant	,				
<u>N</u>	IOTION FOR	DEFAULT JU	JDGMENT			
Plaintiff asks the Co Declaratory Judgment and		n Default Final	Judgment ag	ainst D	efendant(s) fo
1. Plaintiff filed a Com	plaint for Dec	claratory Judg	ment against	Defend	lant(s).	
Defendant(s) has fa by the Clerk of this		/ file an answ	er, and a defa	ault has	s been ente	ec
WHEREFORE, Plaint Declaratory Judgment aga			nter Default	Final	Judgment	fo
Dated this day o	of	, 2020.				
	Disint	Liffic Cinn of the				
	Plaint ——	tiff's Signature)			
	Plaint	tiff's Name				
	Addre	ess				
	City,	State ZIP				_
	Telep	hone number				_
	Email	l address				_

	Plaintiff Plaintiff
V .	Case No.:
	, Defendant
	AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY
	name), being sworn, certify that the following tion is true:
1. I hav	ve made a diligent search and inquiry to discover the name and current residence of:
the action	details of search. Identify all action taken (any additional information included such as the date on was taken and the person with whom you spoke is helpful; attach additional sheet if necessary: all actions taken) () United States Post Office inquiry through Freedom of Information Act, current address or any relocation. () Last known employment of prior owner, including name and address of employer.
	 () Regulatory agencies, including professional or occupational licensing. () Name and address of relatives and contacts with those relatives, and inquiry as to prior owner's last known address. (You are to follow any leads of any addresses where prior owner may have moved. Relatives included but are not limited to parents, brothers, sisters, aunts, uncles, cousins, nieces, nephews, grandparents, great-grandparents, former inlaws, stepparents, stepchildren.
	() Information about prior owner's possible death, and if deceased, the date and location of the death.
	()Telephone listings in the last known locations of prior owner's residence. ()Internet searches such as people finder () Law enforcement arrest and/or criminal records in the last known residential area of prior owner.
	 () Highway Patrol records in the State of prior owner's last known address. () Department of Motor Vehicles records in the state of prior owner's last known address. () Department of Corrections records in the state of prior owner's last known address. Hospitals in the last known area of prior owner's residence. Utility companies, which include water, sewer, cable, TV and electric in the last known, area of prior owner's residence. Tax Assessor's and Property Records at Tax Collector's Office in the area where prior owner last resided.

• •		
2. The age of prior owner is (check only one	e): ()known (enter age) () ι	ınknown
3. Prior owner's current residence (check or () Prior owner's current residence is un () Prior owner's current residence is in known address is	· ·	prior owners last _
Under penalties of perjury, I declare t facts stated in it are true.		nent and that th
Dated:		
Signature of Affiant.		
Printed name of Affiant:		
Address of Affiant: (Street Address)	· · · · · · · · · · · · · · · · · · ·	
(Address including City, State	e, Zip)	
Telephone Number —————		
STATE OF FLORIDA COUNTY OF WASHINGTON		
Sworn to or affirmed and signed before on_(Date) by Name of Affiant)	
	Notary Public Signature	
	Printed name of notary	_
() Personally Known () Produced identification	•	

Plai	ntiff ,
v.	Case No.:
Defendant	
	NOTICE OF ACTION
то:	
you and you are required to	n action for declaratory judgment has been filed against serve a copy of your written defenses, if any, on the within of this notice, otherwise a default will be entered against n the Complaint.
Dated this day of	⁵ , 2020.
	LORA C. BELL Washington County Clerk of Court
	by:
	Deputy Clerk