

IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

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| DIVISION <input type="checkbox"/> CIVIL <input type="checkbox"/> DISTRICTS <input type="checkbox"/> OTHER | STATEMENT OF CLAIM (PROMISSORY NOTE) (File in Duplicate Plus One For Each Defendant) | CASE NUMBER SECTION NO. |
|---|--|--|

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| PLAINTIFF | VS. DEFENDANT(S) | CLOCK IN |
|------------------|-------------------------|-----------------|

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| The Plaintiff sues the Defendant for money owed Plaintiff by Defendant; and which is past due and unpaid; for (As marked (x) below): | Address: | Phone Number: |
|--|----------|---------------|

Plaintiff(s), _____, sues defendant(s), _____, and alleges:

1. This is an action for damages that do not exceed the sum of \$ _____.
2. On _____, 20____, defendant executed and delivered to plaintiff a promissory note, a copy being attached, in _____ County, Florida.
3. Defendant failed to pay
 - a) said note when due; or
 - b) the installment payment due on said note on _____, 20____, and plaintiff elected to accelerate payment of the balance.
4. There is now due, owing and unpaid from defendant(s) to Plaintiff(s) \$ _____ on said note with interest since _____, 20____.
5. Plaintiff(s) has obligated himself/herself to pay his/her attorney(s) a reasonable fee for their services in bringing this action.

Where Plaintiff demands judgment in the sum of \$ _____ together with court costs and any further costs which the Court may assess.

The Plaintiff, _____ says the foregoing is a just and true statement of the amount owed by defendant to plaintiff, exclusive of all lawful setoffs, and that defendant has no lawful defenses which would preclude the collection of said amount.

Affiant states that the defendant(s) is/are not in the military service of the United States.

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| Attorney/Plaintiff | Signature | Attorney's Bar No. |
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|-------------------------------|---------------|
| Address of Attorney/Plaintiff | Telephone No. |
|-------------------------------|---------------|

Email Address:

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____ who is personally known to me or who has produced _____ as identification and did / did not take an oath.

SWORN TO AND SUBSCRIBED BEFORE ME this _____ day of _____ 20____.

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| JUAN FERNANDEZ-BARQUIN CLERK OF THE COURT AND COMPTROLLER MIAMI-DADE COUNTY CIRCUIT AND COUNTY COURTS | _____ Deputy Clerk | NOTARY PUBLIC, State of Florida _____ My Commission Expires: |
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IMPORTANT: SEE REVERSE

| | | |
|--|-------------------|----------------|
| SERVICE OF PROCESS <input type="checkbox"/> PROCESS SERVER <input type="checkbox"/> SHERIFF <input type="checkbox"/> MAIL | FILING FEE AMOUNT | RECEIPT NUMBER |
|--|-------------------|----------------|

NOTE: If the claim is based upon a written document, a copy, or the material part thereof, shall be attached to the statement of claim.

**INSTRUCTION SHEET
IMPORTANT**

YOU MUST advise the Clerk, in writing, of any change in your mailing address.

If you are a DEFENDANT and fail to appear on the designated date, in person or by an attorney, a judgment may be entered against you.

Plaintiff(s) will not be entitled to a default or judgment in the absence of an affidavit regarding the defendant's military status in compliance with applicable law. This form, if sworn to, will meet the above requirements.

If you are a PLAINTIFF and fail to appear on the designated date, in person or by an attorney, this case may be dismissed for Want of Prosecution.

Any claim of the Defendant against the Plaintiff, arising out of the same transaction or occurrence which is the subject matter of plaintiff's claim, shall be filed not less than 5 days prior to the appearance date, or within such times as the Court designates. When a counterclaim or set-off exceeds the jurisdiction of the Court, it shall be filed in writing before or at the pretrial hearing, and the action shall then be transferred to the Court having jurisdiction thereof. As evidence of good faith, the counter-claimant shall deposit a sum sufficient to pay the filing fee in the Court to which the case is to be transferred with his counterclaim.

FAILURE TO MAKE THE DEPOSIT WAIVES THE RIGHT TO TRANSFER.

TRIAL BY JURY may be had upon written demand by Plaintiff made at the commencement of the action or by any defendant within 5 days after service of the notice to appear or at the Pretrial Conference. If the demand is not made, the right to trial by jury is waived.

If at any time in the proceedings a settlement is reached between the parties, this office should be notified in writing by the Plaintiff.

If you have any questions regarding procedures, this office will assist you. This office cannot furnish legal advice to you. Please consult your attorney for legal advice.

CAUTION

A copy of any paper that you file at any time with the Clerk or Judge **MUST** be sent by you to each attorney appearing in the case, if any, or to all parties not represented by an attorney. You must set forth the date and to whom you sent the copy (or copies) of the paper filed, which would be followed by your signature.

**AMERICANS WITH DISABILITIES ACT OF 1990
ADA NOTICE**

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Aliean Simpkins, the Eleventh Judicial Circuit Court’s ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Avenue, Suite 2400, Miami, FL 33128; Telephone (305) 349-7175; TDD (305) 349-7174, Email ADA@jud11.flcourts.org; or via Fax at (305) 349-7355, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.”