

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

<b>DIVISION</b> <input type="checkbox"/> CIVIL <input type="checkbox"/> DISTRICTS <input type="checkbox"/> OTHER	<b>STATEMENT OF CLAIM FOR RETURN OF STOLEN PROPERTY</b> (File in Duplicate Plus One For Each Defendant)	<b>CASE NUMBER</b>  <b>SECTION NO.</b>
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<b>PLAINTIFF</b>	<b>VS. DEFENDANT(S)</b>	<b>PHONE NUMBER</b>
<b>Address</b>		<b>CLOCK IN</b>

Plaintiff, \_\_\_\_\_ sues defendant, \_\_\_\_\_ and says:

This is an action for the return of stolen or misappropriated property pursuant to section 539.001, Florida Statutes. Plaintiff is the owner of the following described property:

**(USE ADDITIONAL SHEET IF NECESSARY)**

\_\_\_\_\_

\_\_\_\_\_

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.

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 \_\_\_\_\_

Plaintiff has complied with the procedural requirements of section 539.001, Florida Statutes. Specifically, plaintiff notified the pawnbroker of plaintiff's claim to the property:

by certified mail, returned 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 misappropriation 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 cost of this action, including reasonable attorneys' fees.

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

Email Address:

The foregoing instrument was acknowledge 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\_\_\_\_.

<b>JUAN FERNANDEZ-BARQUIN CLERK OF THE COURT AND COMPTROLLER MIAMI-DADE COUNTY CIRCUIT AND COUNTY COURTS</b>	_____ Deputy Clerk	NOTARY PUBLIC, State of Florida _____ My Commission Expires:
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SERVICE OF PROCESS	FILING FEE AMOUNT	RECEIPT NUMBER
<input type="checkbox"/> PROCESS <input type="checkbox"/> SHERIFF <input type="checkbox"/> MAIL		

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 time 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 pre-trial 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 upon written demands 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 waived.

If at any time 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 1<sup>st</sup> Avenue, Suite 2400, Miami, FL 33128; Telephone (305) 349-7175; TDD (305) 349-7174, Email [ADA@jud11.flcourts.org](mailto: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.”**