

IN THE COUNTY COURT
_____, COUNTY
CIVIL DIVISION
CASE NUMBER _____

**EVICITION
SUMMONS/RESIDENTIAL**

TO: _____
Defendant's _____

You are being sued by _____
to require you to move out of the place where you are living for the reasons given in the
attached complaint.

You are entitled to a trial to decide whether you can be required to move, but you
MUST DO ALL THE THINGS LISTED BELOW. You must do them within Five (5)
days (not including Saturday, Sunday or any legal holiday) after the date these papers
were given to you or to a person who lives with you or posted at your home.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

- (1) Write down the reason(s) why you think you should not be forced to move.
The written reason(s) must be given to the court clerk at the Monroe County
Clerk of Court.

_____ **500 WHITEHEAD STREET** _____

_____ **KEY WEST** _____, Florida 33040

- (2) Mail or take a copy of your written reason's to:

_____ **Plaintiff/Plaintiff's Attorney** _____

_____ **Address** _____

- (3) Give the court clerk the rent that is due. You must pay the clerk the rent each
time it becomes due until the lawsuit is over. Whether you win or lose the
lawsuit, the Judge may pay this rent to the landlord.

CAUTIONARY WARNING

If this is an action for possession of a dwelling unit based upon non-payment of rent and if you interpose any defense to this action other than payment of rent, you must pay into the Registry of the Court the accrued rent as alleged in the attached complaint or as may be determined by the Court and the rent which accrues during the pendency of these proceedings when due. Your failure to pay rent into the Registry of the Court as stated above constitutes an absolute waiver of your defenses other than payment and the plaintiff will be entitled to an immediate default.

Any payment in to the Registry of the Court must be tendered by cash, cashier's check or money order and must be accompanied by payment of the Clerk's registry fee of 3% of the first \$500 dollars deposited and 1.5% of any amount above \$500 dollars.

- (4) If you and the landlord do not agree on the amount of rent owed, give the court clerk the money you say you owe. Then before trial, you must ask the judge to set up a hearing to decide what amount should be given to the court clerk.

IF YOU DO NOT DO ALL OF THESE THINGS WITHIN FIVE (5) DAYS, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.

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THE STATE OF FLORIDA:

To each Sheriff of the State: You are commanded to Serve this summons and a copy of the Complaint in this lawsuit on the above named defendant.

Dated on _____, 20_____.

**KEVIN MADOK
CLERK OF THE COUNTY COURT**

By: _____
Deputy Clerk