

BUY™

SELL™

SHOP™



Downloaded From
www.TextBookDiscrimination.com



SELL YOUR OWN SAMPLES

(help others get the justice that they deserve)



BUY™

SELL™

SHOP™

www.TextBookDiscrimination.com

Get ***Booked Up*** on Justice!

© TBD Corporation. All Rights Reserved.

IN THE CIRCUIT COURT OF THE
FOURTH JUDICIAL CIRCUIT, IN AND
FOR DUVAL COUNTY, FLORIDA

CASE NO. 2018-CA-005083

Division: CV-G

JUDY RENTFROW,

Plaintiff,

v.

STATE FARM FLORIDA INSURANCE COMPANY,

Defendant.

MOTION FOR ENTRY OF FINAL DEFAULT JUDGMENT

COMES NOW, Plaintiff, **JUDY RENTFROW**, by and through the undersigned attorney, pursuant to Florida Rule of Civil Procedure 1.500, respectfully requests the entry of an Order granting Plaintiff, **JUDY RENTFROW**, a final default judgment against Defendant, **STATE FARM FLORIDA INSURANCE COMPANY**, and in support thereof states:

1. On or about July 27, 2018, Plaintiff, **JUDY RENTFROW**, filed a Complaint in the Circuit Court of Duval County, Florida, seeking judgment for monetary damages based on the breach of contract by Defendant.
2. Defendant was served on or about August 7, 2018.
3. As of January 24, 2019, Defendant has failed to file an answer or serve or file any responsive pleading or paper as required by law to the Plaintiff's Complaint.
4. Plaintiff hereby seeks entry of a final judgment holding that Defendant has breached the contract at issue in this case by failing to pay Plaintiff's claim or return the

Plaintiff's property to its pre-loss condition. The matter would then proceed to jury trial on the matter on the amount of damages.

MEMORANDUM OF LAW

a. Defendant failed to answer Plaintiff's Complaint, or file an appropriate responsive pleading, pursuant to Florida Rule of Civil Procedure 1.140.

Pursuant to Florida Rule of Civil Procedure Rule 1.140 (a), "a defendant must serve an answer within 20 days after service of original process and the initial pleading on the defendant." However, the Defendant failed to file its answer, or responsive pleading, in compliance with Florida Rule of Civil Procedure 1.140(b). Furthermore, the rule states:

Every defense in law or fact to a claim for relief in a pleading must be asserted in the responsive pleading, if one is required, but the following defenses may be made by motion at the option of the pleader: (1) lack of jurisdiction over the subject matter, (2) lack of jurisdiction over the person, (3) improper venue, (4) insufficiency of process, (5) insufficiency of service of process, (6) failure to state a cause of action, and (7) failure to join indispensable parties.

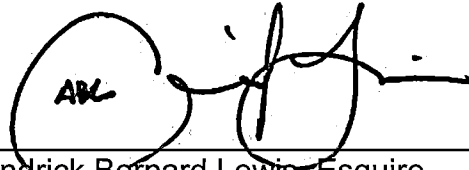
Fla. R. Civ. Pro. 1.140(b).

To that end, the Defendant has failed to answer Plaintiff's Complaint *and* has failed to properly raise a responsive pleading pursuant to Florida Rule of Civil Procedure 1.140(b). In light of the Defendant's failure to answer the Complaint, the Plaintiff requests this Court to enter a Court's default, as the 20 day deadline to answer Plaintiff's Complaint under Florida Rule of Civil Procedure 1.140(a) elapsed on August 27, 2018.

WHEREFORE, Plaintiff, **JUDY RENTFROW**, request entry of a Final Default Judgment for liability, against Defendant, **STATE FARM FLORIDA INSURANCE COMPANY**, and further request that this Court set a jury trial to determine damages.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to Alfano Kingsford, P.A., 1060 Maitland Center Commons Suite 180, Maitland, FL 32751; Robert A. Kingsford, Esquire, this 24th day of January, 2019.

A handwritten signature in black ink, appearing to read 'Andrick Bernard Lewis', is written over a horizontal line. The signature is stylized with a large initial 'A' and 'L'.

Andrick Bernard Lewis, Esquire
Florida Bar No. 109165
The Nation Law Firm, LLP
570 Crown Oak Centre Drive
Longwood, FL 32750
Telephone: (407) 339-1104
Facsimile: (407) 339-1118
Primary Email: marvin@nationlaw.com
Secondary Email: alewis@nationlaw.com
Attorneys for Plaintiff

BUY™

SELL™

SHOP™



Downloaded From
www.TextBookDiscrimination.com



SELL YOUR OWN SAMPLES

(help others get the justice that they deserve)



BUY™

SELL™

SHOP™

www.TextBookDiscrimination.com

Get ***Booked Up*** on Justice!

© TBD Corporation. All Rights Reserved.