

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER NO. A-2020-15-C

**AMENDED ADMINISTRATIVE ORDER SUSPENDING THE
EXECUTION OF WRITS OF POSSESSION DURING COURT CLOSURE
RELATED TO COVID-19 PANDEMIC**

(Amended to extend until further Order of this Court)

WHEREAS, Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the Chief Judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

WHEREAS, Florida Rule of Judicial Administration 2.215(b)(2) states that the Chief Judge is the “administrative officer of the courts within the circuit and shall, consistent with branch-wide policies, direct the formation and implementation of policies and priorities for the operation of all courts and officers within the circuit.”

WHEREAS, Florida Rule of Judicial Administration 2.215(b)(3) states that the Chief Judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

WHEREAS, the Centers for Disease Control and the Florida Department of Health advise precautions due to the Coronavirus Disease 2019 (COVID-19) outbreak specifically noting that the best way to prevent illness is to avoid exposure to the virus by social distancing, and;

WHEREAS, on March 1, 2020, Governor Ron DeSantis declared a State of Emergency due to the COVID-19 outbreak, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic, and;

WHEREAS, on March 11, 2020, Chief Justice Charles Canady issued Administrative Order No. AOSC20-12, *In Re: Response of the Florida State Courts System to Coronavirus Disease 2019 (COVID-19)*, requiring Chief Judges to continue ongoing planning and authorizing the use of mitigating measures to address the effects of COVID-19, and;

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WHEREAS, on March 18, 2020, Chief Judge Daniel B. Merritt, Jr. issued Administrative Order No. A-2020-12-B, “*Administrative Order Regarding Court Closure Due to COVID-19 Pandemic*,” that closed all non-essential Courts through Friday, March 27, 2020, and;

WHEREAS, the Judges of the Fifth Judicial Circuit Court are required to preside over and determine landlord-tenant actions and actions involving the ownership of real property. Such actions may require entry of a judgment for possession in favor of a property owner or landlord and directing the clerk of the court to issue a writ of possession commanding the sheriff to place the landlord or property owner in possession of the real property, and;

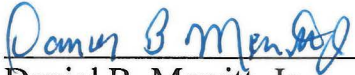
WHEREAS, the removal of tenants or others in possession of real property prior to imminent or during a disaster or emergency endangers the health, safety, and welfare of the citizens of the Fifth Judicial Circuit of Florida, and;

THEREFORE, in accordance with the authority vested in the Chief Judge pursuant to Article V, Section 2(d) of the Florida Constitution; Section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215:

It is hereby **ORDERED**:

1. This Amended Order is Amended to extend and remain in force until further order of this Court.
2. The Sheriffs of the Fifth Judicial Circuit shall suspend posting and execution of any writ of possession for residential premises which has not been executed prior to the declaration of emergency and court closure, until such time as the court resumes normal business operations.
3. Plaintiff's may file a Motion to Compel Execution of the Writ with the presiding Judge specifying the need for immediate execution for the presiding Judge to review and determine if an immediate in person hearing or relief by execution is warranted.

DONE AND ORDERED in Chambers, Brooksville, Hernando County Florida,
this 16th day of April 2020.



Daniel B. Merritt, Jr
Chief Judge
Fifth Judicial Circuit