

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. C-2020- 51

**ADMINISTRATIVE ORDER REGARDING
CONSENT TO DISMISSAL AND CASE CLOSURE FOR
LACK OF PROSECUTION IN EVICTION CASES SEEKING POSSESSION ONLY**

WHEREAS, pursuant to Rule 2.545, Florida Rules of Judicial Administration, litigation should be concluded as soon as reasonably and justly possible to do so; and

WHEREAS, Rule 1.420(e), Florida Rules of Civil Procedure, provides for the dismissal of actions for failure to prosecute where no record activity has taken place in 10 months; and

WHEREAS, eviction cases in which plaintiffs (landlords) are only seeking possession of subject premises, unlike other County Civil cases, are often resolved promptly; and

WHEREAS, in many instances the issue of possession in eviction cases is resolved by defendants (tenants) vacating premises upon service of process; and

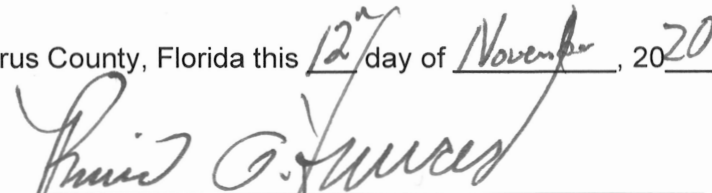
WHEREAS, time and resources could be saved if, at the time of filing, plaintiffs (landlords) were afforded an opportunity to voluntarily agree to dismiss/close their case after a certain period of inactivity;

NOW THEREFORE, I, RICHARD A. HOWARD, Administrative Judge, Fifth Judicial Circuit for Citrus County, Florida, hereby order that effective November 16th, 2020, the Clerks of Court in Citrus County shall include a Consent to Case Closure after 90 days of Inactivity form (attached and incorporated herein as Exhibit A) in the eviction forms package and as the Clerks otherwise deem appropriate.

Upon receipt of a completed *Consent to Case Closure after 90 days of Inactivity* form from a plaintiff (landlord), Clerks are to notify the assigned judge after 90 days of inactivity have elapsed, whereupon the judge may consider entering an order of dismissal/case closure similar to the attached *Order of Dismissal and Closure of Case (attached and incorporated herein as Exhibit B)*.

TO BE RECORDED in Citrus County.

DONE AND ORDERED in Inverness, Citrus County, Florida this 12th day of November, 2020.



RICHARD A. HOWARD
Administrative Judge
Citrus County

Exhibit A

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA

Plaintiff(s),

v.

CASE NO. _____

Defendant(s).

_____ /

CONSENT TO CASE CLOSURE AFTER 90 DAYS OF INACTIVITY
Eviction – Possession Only

I, _____ *[print name]* am the

Plaintiff / Landlord and I hereby consent, without further notice, to the dismissal and closure of this case file after 90 days of inactivity have elapsed.

I hereby certify that a true and correct copy of this Consent will be furnished by U.S. mail or included with the initial service of process to the Defendant(s) named herein.

DATED this _____ day of _____, _____.

Plaintiff / Landlord *(signature)*

Exhibit B

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA

Plaintiff(s),

v.

CASE NO. _____

Defendant(s).

_____ /

ORDER OF DISMISSAL AND CLOSURE OF CASE

THIS COURT having been apprised by the Clerk of Court that there has been no activity in this cause for 90 days and that Plaintiff/Landlord has entered a *Consent to Case Closure after 90 Days of Inactivity*; hereby

ORDERS and ADJUDGES that this cause is hereby DISMISSED and the Clerk of Court is directed to close the case pursuant to the *Consent to Case Closure after 90 Days of Inactivity* propounded by the Plaintiff/Landlord.

DONE and ORDERED in Inverness, Citrus County, Florida this ____ day of _____, _____.

BRUCE E. CARNEY
County Court Judge

Certificate of Service

Plaintiff(s) / Landlord / Attorney
Defendant(s) / Attorney