

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE, HIGHLANDS, AND POLK COUNTIES, FLORIDA**

FIRST AMENDED SPECIAL ORDER

**IN RE: ADDENDUM TO RESIDENTIAL EVICTION SUMMONS FOR
HARDEE, HIGHLANDS, AND POLK COUNTY EVICTION CASES**

WHEREAS, on September 1, 2020, the Centers for Disease Control and Prevention (hereinafter “CDC”) issued an agency order titled *Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19* (hereinafter “CDC Residential Eviction Halt Order”) that remains in effect through December 31, 2020; and

WHEREAS, on December 27, 2020, Section 502 of Title V or Division N of the Consolidated Appropriations Act, 2021, extended the date of expiration of the CDC Residential Eviction Halt Order to January 31, 2021; and

WHEREAS, the Court finds it necessary to continue providing notice of the CDC Residential Eviction Halt Order along with the summons issued in a county court residential eviction case; and

NOW THEREFORE, IT IS ORDERED that, effective immediately, the Hardee County Clerk of Courts shall attach the *Addendum to Residential Eviction Summons*, attached hereto as Attachment A, to the summons to be served on each defendant in a county court residential eviction case; the Highlands County Clerk of Courts shall attach the *Addendum to Residential Eviction Summons*, attached hereto as Attachment B, to the summons to be served on each defendant in a county court residential eviction case; and the Polk County Clerk of Courts shall attach the *Addendum to Residential Eviction Summons*, attached hereto as Attachment C, to the summons to be served on each defendant in a county court residential eviction case. In the event that the expiration date is extended or modified by state or federal laws or rules, the Clerks of the Circuit Court are authorized to update the expiration date on the *Addendum to Residential Eviction Summons* without further order of this Court.

Further, this First Amended Special Order **VACATES AND SUPERCEDES** the *Special Order In Re: Addendum to Residential Eviction Summons for Hardee, Highlands, and Polk County Eviction Cases*, entered on October 1, 2020, and shall expire without further order of the Court upon expiration of the CDC Residential Eviction Halt Order, including any extensions and/or amendments.

DONE AND ORDERED on this 11th day of January, 2021.

s/ELLEN S. MASTERS, CHIEF JUDGE

Original: Polk County Clerk of Court

Copies: All Judges

Hardee County Clerk of Court

Highlands County Clerk of Court

Polk County Clerk of Court

Nick Sudzina, Trial Court Administrator

Electronic Bar Mailing

IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE COUNTY, FLORIDA

ADDENDUM TO RESIDENTIAL EVICTION SUMMONS

**NOTICE OF CENTERS FOR DISEASE CONTROL AND PREVENTION
AGENCY ORDER TITLED *TEMPORARY HALT IN RESIDENTIAL
EVICTIONS TO PREVENT THE FURTHER SPREAD OF COVID-19***

You are entitled to a trial to determine whether you can be required to move. If you intend to assert a COVID-19 related defense pursuant to the Centers for Disease Control and Prevention (hereinafter “CDC”) agency order titled *Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19* (hereinafter “CDC Residential Eviction Halt Order”), you **MUST** do ALL of the applicable 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, were given to a person who lives with you, or were posted at your home.

1. Asserting a COVID-19 related defense pursuant to the CDC Residential Eviction Halt Order: Defendant(s) are hereby noticed that the CDC Residential Eviction Halt Order, effective September 4, 2020, through January 31, 2021, may apply to this matter (unless the Court has previously made such a determination). In order for CDC Residential Eviction Halt Order to apply to this matter, you must be a “covered person” as defined by the Order and you must submit written reasons stating why you feel you meet the definition of a covered person under the Order.
2. Your written reason(s) for asserting a COVID-19 related defense pursuant to the CDC Residential Eviction Halt Order must be given to the Clerk of the Courts at one of the following locations:
 - Hardee County Clerk of Courts, 417 West Main Street, Room 202, Wauchula, Florida 33873, or
 - Hardee County Clerk of Courts, P.O. Drawer 1749, Wauchula, Florida 33873
3. You must also mail or give a copy of your written reason(s) asserting the COVID-19 related defense to the Plaintiff.

ATTACHMENT A

IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT
IN AND FOR HIGHLANDS COUNTY, FLORIDA

ADDENDUM TO RESIDENTIAL EVICTION SUMMONS

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AGENCY ORDER TITLED *TEMPORARY HALT IN RESIDENTIAL
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1. Asserting a COVID-19 related defense pursuant to the CDC Residential Eviction Halt Order: Defendant(s) are hereby noticed that the CDC Residential Eviction Halt Order, effective September 4, 2020, through January 31, 2021, may apply to this matter (unless the Court has previously made such a determination). In order for CDC Residential Eviction Halt Order to apply to this matter, you must be a “covered person” as defined by the Order and you must submit written reasons stating why you feel you meet the definition of a covered person under the Order.
2. Your written reason(s) for asserting a COVID-19 related defense pursuant to the CDC Residential Eviction Halt Order must be given to the Clerk of the Courts at the following location:
 - Highlands County Clerk of Courts, 590 S. Commerce Avenue, Sebring, Florida
3. You must also mail or give a copy of your written reason(s) asserting the COVID-19 related defense to the Plaintiff.

ATTACHMENT B

IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

ADDENDUM TO RESIDENTIAL EVICTION SUMMONS

**NOTICE OF CENTERS FOR DISEASE CONTROL AND PREVENTION
AGENCY ORDER TITLED *TEMPORARY HALT IN RESIDENTIAL
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4. Asserting a COVID-19 related defense pursuant to the CDC Residential Eviction Halt Order: Defendant(s) are hereby noticed that the CDC Residential Eviction Halt Order, effective September 4, 2020, through January 31, 2021, may apply to this matter (unless the Court has previously made such a determination). In order for CDC Residential Eviction Halt Order to apply to this matter, you must be a “covered person” as defined by the Order and you must submit written reasons stating why you feel you meet the definition of a covered person under the Order.
5. Your written reason(s) for asserting a COVID-19 related defense pursuant to the CDC Residential Eviction Halt Order must be given to the Clerk of the Court at one of the following locations:
 - Polk County Courthouse, 255 N. Broadway, Drawer CC-12, PO Box 9000, Bartow, FL 33831
 - Lakeland Government Center, 930 E. Parker St., Room 240, Lakeland, FL 33801
 - Northeast Polk County Government Center, 3425 Lake Alfred Road - #7 Gill Jones Center, Winter Haven, FL 33881
6. You must also mail or give a copy of your written reason(s) asserting the COVID-19 related defense to the Plaintiff.

ATTACHMENT C