

**IN THE COUNTY COURT, CIVIL DIVISION
IN AND FOR VOLUSIA COUNTY, FLORIDA**

CASE NO. _____

JUDGE _____

-VS-

Plaintiff(s),

Defendant(s)

**COMPLAINT TO DECLARE MOTOR VEHICLE/MOBILE HOME
WRONGFULLY TAKEN OR WITHHELD BY TOWING-STORAGE OPERATOR**

Plaintiff hereby sues Defendant and alleges:

1. This is an action to determine whether a certain motor vehicle was wrongfully taken or withheld from the Plaintiff by the Defendant. The Plaintiff owns or claims a lien on said motor vehicle. Said vehicle is/is not currently in the possession of the Defendant.
2. The description of the property is: _____

3. The Plaintiff, pursuant to Florida Statutes, Section 713.78(5)(a), posted a bond with the Clerk of the Court on _____, in the amount of the total towing or storage charges claimed by the Defendant.
4. A certificate notifying the lienor of the posting of the bond and directing the lienor to release the vehicle was issued by the Clerk of the Court on _____
5. The Defendant received a copy of the certificate on _____

WHEREFORE, the plaintiff requests the Court to enter an Order declaring that the above described vehicle was wrongfully taken or withheld from the Plaintiff by the Defendant, requiring the Defendant to release said vehicle to the Plaintiff if still in Defendant's possession, discharging the bond or otherwise providing for immediate recovery of any towing or storage charges paid by the Plaintiff to the Defendant, and awarding damages and costs to the Plaintiff.

Plaintiff(s)

Address

Telephone Number