

# PRO-SE INSTRUCTIONAL SHEET FOR POST JUDGMENT ACTION

## LOCAL FORM MOTION TO TERMINATE/VACATE

**\*PLEASE READ CAREFULLY AND FOLLOW INSTRUCTIONS FOR COMPLETING FORM, IF NOT DONE PROPERLY IT MAY DELAY THE PROCESS OF YOUR MOTION\***

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### Difference between 'TERMINATED' and 'VACATED.'

- A Judgment may be 'terminated', however, when it was appropriate to issue the judgment in the beginning; Petitioner believes things have changed and no longer needs the protection.
- A Judgment should only be "vacated" when there was a reason that it should never have been entered to start with. For example, if the Court belatedly realizes that it had no jurisdiction over a party; Respondent feels that everything was presented under false accusations.

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- ✧ You must know the **other party's current or last known address**; A P.O. BOX IS NOT ACCEPTABLE. The Domestic Violence Office **CANNOT** provide you with any information about the other party.
  - ✧ If you are a **Petitioner** filing a Motion to Terminate a Final Judgment of Injunction for Domestic or Dating Violence, you **must** speak to a Hubbard House Victim's Advocate before filing.
  - ✧ If you are the **Respondent** filing a Motion to Vacate the Injunction, a copy of your notarized motion must be provided to the Petitioner. You may choose to pay \$50 to have the sheriff's office personally serve the other party with motion **OR** you may choose to have the motion certified mail with a return receipt at the postal office for \$5.75 (price may change without notice).
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- ✧ Write a **brief** explanation in the space provided on **why you wish for the injunction to be no longer in effect** and provide any documentation if necessary **OR** you may write 'SEE ATTACHED' and attach your **written/typed statement** with any supporting documents.
  - ✧ Motion must be **notarized by a notary public** with a valid proof of identification or be stamped by a deputy clerk. Proper identification is necessary.

**PLEASE TYPE, PRINT OR WRITE YOUR STATEMENT CLEARLY**

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

**CASE NO.:** \_\_\_\_\_  
**DIVISION:** FM-V

\_\_\_\_\_,  
**Petitioner,**

v.

\_\_\_\_\_,  
**Respondent,**

**MOTION TO TERMINATE/VACATE THE FINAL JUDGMENT  
OF INJUNCTION FOR PROTECTION**

**COMES NOW**, the [ ] Petitioner [ ] Respondent, (*name*) \_\_\_\_\_,  
in proper person and moves the Court to Terminate/Vacate the Final Judgment of Injunction for  
Protection Against Violence entered on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
and recorded in Official Records Book \_\_\_\_\_ Page(s) \_\_\_\_\_ and therefore states:

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[ ] Please See Attached Documents

Based on the information stated above, I respectfully ask the Court to Terminate/Vacate the  
Final Judgment of Injunction for Protection Against Violence.

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was [Choose **one** only] ( ) mailed ( ) mailed by certified mail, return receipt requested, ( ) furnished to a law enforcement officer for personal service to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Tel. Number: \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this motion and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Tel: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

\_\_\_\_\_  
[Print, type, or stamp commissioned name of notary or clerk.]

- \_\_\_\_ Personally known
- \_\_\_\_ Produced identification
- [ ] Florida Drivers License
- [ ] Florida Identification Card
- Other Type of identification produced \_\_\_\_\_