

Filing # 111422605 E-Filed 08/06/2020 06:05:21 PM

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE20004831 DIVISION 14 JUDGE Carlos A Rodriguez

The Cove & Deerfield Beach LLC

Plaintiff(s) / Petitioner(s)

v.

Hector Alicia, et al

Defendant(s) / Respondent(s)

**ORDER DENYING PLAINTIFF'S EX-PARTE MOTION FOR DEFAULT FINAL
JUDGMENT OF EVICTION**

THIS CAUSE came before the Court on July 27, 2020 for a hearing scheduled at 8:45 a.m. upon the Plaintiff's Motion for Default Final Judgment of eviction ("subject Motion") and then again on August 6, 2020 at 8:45 a.m. after being denied on July 27, 2020 on the same Motion. The Court having heard the argument of counsel and being otherwise duly advised in the premises, it is hereby

ORDERED and ADJUDGED that the subject Motion for is DENIED based upon the following findings made by the Court:

- 1) By the Defendants mailing their July 2020 rent payment to the Court Registry on June 29, 2020, there was a timely tender by the Defendants;
- 2) There is no proof that the Defendant's July 2020 rent payment was not received by the Clerk on or before its due date;
- 3) Per Florida Supreme Court AOSC-20-23, an emergency health condition exists and this Court is under public health emergency; and
- 4) Under the several Administrative Orders issued by the Chief Judge of this Circuit regarding Covid-19, the Court Registry is not an essential and critical proceeding.
- 5) The Plaintiff failed to follow the administrative procedure requiring leave of Court to set a

hearing for a reconsideration and failed to file a motion for reconsideration yet, unilaterally without court permission, set the same exact decided heard motion for hearing today on August 6th. By failing to submit this order denying the July 27th motion, in effect the Plaintiff circumvented court administrative order and division 14 procedure. The Court reserves on sanctions. The Court will not consider any further motion for reconsideration or rehearing on this issue.

DONE and ORDERED in Chambers, at Broward County, Florida on 08-06-2020.

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Hon. Carlos A Rodriguez

CIRCUIT JUDGE

Electronically Signed by Carlos A Rodriguez

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