

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
VOLUSIA COUNTY, FLORIDA

CASE NO.: 2024 29084 CODL
DIVISION: 71

JEREMIAH MATTHEW ANDERSON
Plaintiff(s)

v.

WESTLAKE SERVICES D B A WESTLAKE FINANCIAL SERVICES
Defendant(s)

_____/

ORDER ON ORDER TO SHOW CAUSE HEARING

THIS CAUSE has come before the Court for hearing upon Plaintiff's second Request for Order to Show Cause hearing after Defendant has been served with the OTSC only. The Court being fully advised in the premises, finds as follows:

1. Plaintiff has filed a Complaint for Replevin only against Defendant.
2. Defendant financed a vehicle for Plaintiff and has repossessed that vehicle, purportedly pursuant to its contract with Plaintiff.
3. It is uncontroverted that the vehicle is no longer in either party's possession. It was repossessed by Plaintiff and sold, prior to Defendant being lawfully served with notice of this matter.
4. Therefore, the Order to Show Cause is Moot.
5. Plaintiff has filed multiple motions, responses and memorandums seeking causes of action which are not contained in his Complaint for Replevin.
6. Within Plaintiff's complaint he seeks relief only under the cause of action of "Replevin." The Complaint is only titled "Complaint for Replevin" and there is no wherefore clause

seeking any monetary damages, however there was one paragraph seeking compensation under Florida Statute 559.77.

7. Plaintiff stated to the Court today, that he is seeking over \$100,000.00 in monetary damages against Defendant. Again, no amount for damages has been pled yet, but if Plaintiff chooses to seek to amend his complaint to seek over \$50,000.00, that will take this matter out of this Court's jurisdiction to the Circuit Court.
8. No action is taken upon the Replevin OTSC today for the reasons set forth herein.
9. Plaintiff may seek leave to amend his Complaint, pursuant to the Florida Rules of Procedure, attaching the proposed pleading, if he wishes to amend his Complaint to include a request for monetary damages under the various causes of action he has sought within motions and responses to the Court.

DONE AND ORDERED in chambers, in Volusia County, Florida, on 26 day of March, 2025.

3/26/2025 4:51 PM 2024 29084

A handwritten signature in black ink, appearing to read "Angela A. Dempsey", is written over a faint "CODL" stamp.

e-Signed 3/26/2025 4:51 PM 2024 29084 CODL

ANGELA A. DEMPSEY
COUNTY JUDGE

Copies to: All parties of record

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SERVICES