

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

ADMINISTRATIVE ORDER NO. 3-31.0

**NOTICE OF INTENT TO DISMISS OR CLOSE AND DISMISSAL
FOR LACK OF PROSECUTION IN SMALL CLAIMS CASES**

WHEREAS, in accordance with Florida Rule of Judicial Administration 2.545, “[j]udges and lawyers have a professional obligation to conclude litigation as soon as it is reasonably and justly possible to do so”; and

WHEREAS, Florida Small Claims Rule 7.110(e), provides for dismissal of actions for failure to prosecute where no action, such as the filing of pleadings or orders, has taken place within 6 months; therefore, it is

ORDERED THAT:

Pursuant to Florida Small Claims Rule 7.110(e), in any small claims action where no action has taken place in the case within 6 months, the Court, on its own motion, shall:

1. Issue a *Notice of Intent to Dismiss or Close* and a *Notice of Hearing Pursuant to Florida Small Claims Rule 7.110(e)*. Said hearing on the *Notice of Intent to Dismiss or Close* shall be scheduled before the Court not less than 30 days after entry of the notice of intent to dismiss.
2. Without further notice, dismiss said case for lack of prosecution if the parties fail to appear for the hearing on the *Notice of Intent to Dismiss or Close*, fail to file an order or stipulation staying the action, or fail to show good cause in writing at least 5 days before the hearing on the *Notice of Intent to Dismiss or Close* as to why the case should not be dismissed or closed.

This administrative order is effective upon signing.

DONE AND ORDERED on this 3rd day of October, 2011.

WM. BRUCE SMITH, Chief Judge