

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

DEPARTMENT OF LEGAL AFFAIRS,

Plaintiff,

v.

Case No.: 2019-CA-1424

DENNIS MCDONALD,

Defendant.

MOTION FOR CONTEMPT

Plaintiff, Department of Legal Affairs (herein "Department"), by and through the undersigned attorney, files this Motion for Contempt pursuant to Rule 1.560, Florida Rules of Civil Procedure and in support thereof states as follows:

1. On March 16, 2020, the court entered a Final Judgment in the above-styled cause against Defendant Dennis McDonald in the amount of \$79,564.05 plus interest at the legal rate of 6.83% per year. This judgment has not been satisfied.

2. The Final Judgment ordered Defendant to complete, under oath, Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet including the spouse related portion) including all required attachments and serve it on counsel for the Plaintiff within 45-days from the date of the Final Judgment.

3. The 45-day period has lapsed and Defendant has not served the Fact Information Sheet on Plaintiff's counsel.

4. Defendant has the present ability to complete and return the Fact Information Sheet and has had more than enough time since the date of the Final Judgment to comply.

5. In an effort to resolve this issue without judicial intervention, the undersigned contacted Defendant through a correspondence dated September 16, 2020 and requested that he

complete and send to the undersigned counsel the completed form by September 30, 2020. *See* Exhibit A. To date no response has been received.

6. Good cause exists to hold Defendant in contempt for failure to comply with this court's order.

WHEREFORE, Plaintiff requests the court to hold Defendant, Dennis McDonald, in contempt.

Respectfully submitted,

ASHLEY MOODY
ATTORNEY GENERAL

/s/ Anita Patel

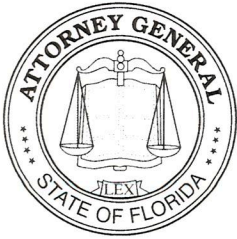
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CERTIFICATE OF SERVICE

I hereby certify that the undersigned electronically filed the foregoing with the Clerk of the Courts on October 12, 2020, using the E-Filing Portal, and that the document was served by US mail to Defendant, Dennis McDonald at PO Box 1232, Flagler Beach, Florida 32136 on this 12th day of October, 2020.

/s/Anita Patel

Attorney



ASHLEY MOODY
ATTORNEY GENERAL
STATE OF FLORIDA

OFFICE OF THE ATTORNEY GENERAL
General Legal Division
Complex Litigation Unit

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September 16, 2020

Dennis McDonald
P.O. Box 1232
Flagler Beach, FL 32136

Re: Department of Legal Affairs v. Dennis McDonald
Case No.: 2019-CA-1424

Dear Mr. McDonald:

The Final Judgment that was entered against you on March 16, 2020 in the above-styled cause required you to complete, under oath, Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet, including the spouse related portion) and all required attachments and serve it on the undersigned counsel. I have not received the completed form or any of the required attachments. Please provide the completed form, a copy of which is enclosed herewith, along with the required attachments to our office by September 30, 2020. Failure to do so will result in our office seeking enforcement and sanctions through the court.

Sincerely,

Anita J. Patel

Enclosures as stated.

EXHIBIT
A

Fla.R.Civ.P. Form 1.977
Form 1.977. Fact Information Sheet

(a) For Individuals.

FACT INFORMATION SHEET

Full Legal Name: _____

Nicknames or Aliases: _____

Residence Address: _____

Mailing Address (if different): _____

Telephone Numbers: (Home) _____

(Business) _____

Name of Employer: _____

Address of Employer: _____

Position or Job Description: _____

Rate of Pay: \$ _____ per _____. Average Paycheck: _____ per _____

Average Commissions or Bonuses: \$ _____ per _____.

Commissions or bonuses are based on _____

Other Personal Income: \$ _____ from _____

(Explain details on the back of this sheet or an additional sheet if necessary.)

Social Security Number: _____ Birthdate: _____

Driver's License Number: _____

Marital Status: _____ Spouse's Name: _____

Spouse's Address (if different): _____

Spouse's Social Security Number: _____ Birthdate: _____

Spouse's Employer: _____

Spouse's Average Paycheck or Income: \$ _____ per _____

Other Family Income: \$ _____ per _____

(Explain details on back of this sheet or an additional sheet if necessary.)

Describe all other accounts or investments you may have, including stocks, mutual funds, savings bonds, or annuities, on the back of this sheet or on an additional sheet if necessary.

* * * * *

Names and Ages of All Your Children (and addresses if not living with you): _____

Child Support or Alimony Paid: \$ _____ per _____

Names of Others You Live With: _____

Who is Head of Your Household? _____ You _____ Spouse _____ Other

Person Checking Account at: _____ Account # _____

Savings Account at: _____ Account # _____

For Real Estate (land) You Own or Are Buying: _____

Address: _____

All Names on Title: _____

Mortgage Owed to: _____

Balance Owed: _____

Monthly Payment: _____

(Attach a copy of the deed or mortgage, or list the legal description of the property on the back of this sheet or an additional sheet if necessary. Also provide the same information on any other property you own or are buying.)

For All Motor Vehicles You Own or Are Buying

Year/Make/Model: _____ Color: _____

Vehicle ID No.: _____ Tag No: _____ Mileage: _____

Name(s) on Title: _____ Present Value: \$ _____

Loan Owed to: _____

Balance on Loan: \$ _____

Monthly Payment: \$ _____

(List all other automobiles, as well as other vehicles, such as boats, motorcycles, bicycles, or aircraft, on the back of this sheet or an additional sheet if necessary.)

Have you given, sold, loaned, or transferred any real or personal property worth more than \$100 to any person in the last year? _____

If your answer is "yes," describe the property, market value, and sale price, and give the name and address of the person who received the property. _____

Does anyone owe you money? _____ Amount Owed: \$ _____

Name and Address of Person Owing Money: _____

Reason money is owed: _____

Please attach copies of the following:

- a. Your last pay stub.
- b. Your last 3 statements for each bank, savings, credit union, or other financial account.
- c. Your motor vehicle registrations and titles.
- d. Any deeds or titles to any real or personal property you own or are buying, or leases to property you are renting.

- e. Your financial statements, loan applications, or lists of assets and liabilities submitted to any person or entity within the last 3 years.
- f. Your last 2 income tax returns filed.

UNDER PENALTY OF PERJURY, I, _____,
SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE, CORRECT AND
COMPLETE.

Judgment Debtor

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this ____ day of _____,
2020 by _____.

Notary Public State of Florida

My Commission expires: _____

Personally known ____ OR Produced Identification

Type of identification produced: _____