

CASE NO: 2014-005737-CC-26  
SECTION NO: (04)

Denise M. Scanziani Esq. P.A.  
Plaintiff(s)

CIVIL DIVISION

vs.

Motion, Notice and  
Judgment of Dismissal

Jimenez, Mario et al.  
Defendant(s) /

**NOTICE OF LACK OF PROSECUTION**

PLEASE TAKE NOTICE that it appears that no activity by filing of pleadings, order of court, or otherwise has occurred for a period of 10 months immediately proceeding service of this notice, and no stay has been issued by the court. Pursuant to 1.420(e) of the Fla.Civ.P., if no such record activity occurs within 60 days following the service of this notice, and if no stay is issued or approved during such 60 day period, this action may be dismissed by the court on its own motion for lack of prosecution at the scheduled hearing set forth below, unless a party shows good cause in writing at least 5 days before the hearing on the motion why the action should remain pending.

**NOTICE OF HEARING ON THE COURT'S MOTION  
TO DISMISS FOR LACK OF PROSECUTION AND ORDER OF DISMISSAL**

Pursuant to 1.420 of the Fla.R.Civ.P. the parties are hereby directed to appear before

**Judge Lawrence D King on June 09, 2016 at 9:30 AM**

**In Room No. South Dade Courtroom 2-7      Court Location      South Dade Courtroom 2-7  
10710 S.W. 211th Street  
Miami, FL 33189**

for a hearing on the Court's Motion to Dismiss this action for lack of prosecution. It shall be the responsibility and burden of the party opposing the dismissal for lack of prosecution to appear at the hearing and to affirmatively demonstrate (1) that there had been record activity within 10 months prior to service of the "Notice" or that the Court had issued a stay of action on stipulation or otherwise which was in effect any time within the 10 months preceding the notice; or (2) that there had been record activity within 60 days immediately following the service of such notice or that the Court had issued a stay of the action on stipulation or otherwise prior to the expiration of the 60 day period. In absence of record activity or of any order staying the action as above described, a party must show good cause in writing at least (5) days before the hearing why the action should remain pending.

The failure of this party opposing the motion to appear at the hearing and to timely file a showing of good cause in writing, if required, shall constitute an abandonment of any justified defenses to the motion and the above styled action shall be dismissed for lack of prosecution WITHOUT further order of court on the date specified above without prejudice.

**DONE AND ORDERED** in Miami-Dade County, Florida this      day of **FEB 01 2016**

**LAWRENCE D. KING**

**COUNTY JUDGE**

County Court Judge

I hereby certify that a copy of the above Motion, Notice and Judgment has been mailed to the  
     Plaintiff;  Plaintiff attorney;  Defendant, and/or Defendant's Attorney this      day of  
FEB 01 2016 BY MO Ac

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, L.E.T Courthouse Center, 175 NW 1<sup>st</sup> Ave., Suite 2702, Miami, FL 33128, Telephone (305) 349-7175; TDD (305)349-7174, Fax (305)349-7355 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

JIMENEZ, MARIO  
12901 SW 66 TERR DR  
MIAMI FL 33183-0000