

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR BREVARD COUNTY,
FLORIDA

GEOSAV PROPERTIES, LLC,

Plaintiff,

v.

CASE NO.: 05-2024-CA-052930

MAMA GERI'S RESTAURANT AND
BAR, LLC; and JEFFREY ROBERT
FORDLEY,

Defendants.

MOTION FOR JUDGMENT OF FINAL REMOVAL

Plaintiff, GEOSAV PROPERTIES, LLC ("Plaintiff" or "Geosav") under Florida Statute 83.22(2), moves for entry of Final Judgment of Removal against Defendant, MAMA GERI'S RESTAURANT AND BAR, LLC ("Mama Geri's") and states:

1. Plaintiff filed this action on October 29, 2024, asserting claims for eviction and money damages.
2. On November 2, 2024, a copy of the Eviction Summons, and Complaint with Exhibits was served on Mama Geri's by posting at 1981 N Wickham Rd, Melbourne, FL 32935. A true and correct copy of the Verified Return of Service is attached hereto as **Exhibit "A."**
3. On November 14, 2024, the Clerk certified that a copy of the Eviction Summons and Complaint with Exhibits was mailed by first class mail to Mama Geri's. A true and correct copy of the Certificate of Mailing is attached hereto as **Exhibit "B."**
4. Mama Geri's failed to appear or serve any paper on the undersigned within the time prescribed by law.
5. Mama Geri's response to the Complaint was due within five (5) days after service

(on or before Tuesday, November 19, 2024). To date, no responsive pleading has been filed or served by, or on behalf of, Mama Geri's.

6. Accordingly, entry of Final Judgment of Removal is appropriate. A proposed Final Judgment is attached hereto as **Exhibit "C."**

Wherefore, Plaintiff, GEOSAV PROPERTIES, LLC, respectfully requests the Court to enter the Final Judgment of Removal against Defendant, MAMA GERI'S RESTAURANT AND BAR, LLC.

/s/ Mariah Manley

Tucker H. Byrd

Florida Bar No. 381632

Mariah A. Manley

Florida Bar No. 1049675

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 22, 2024, a copy of the foregoing has been filed with the Florida Courts E-Filing Portal.

/s/ Mariah Manley

EXHIBIT “A”


AFFIDAVIT OF SERVICE


Case: 05-2024-CA-052930-XXCA-BC	Court: Brevard County Clerk of the Court	County: Brevard, FL	Job: 12099289
Plaintiff / Petitioner: GEOSAV PROPERTIES, LLC		Defendant / Respondent: MAMA GERI'S RESTAURANT AND BAR, LLC; JEFFREY ROBERT FORDLEY	
Received by: Diligent Legal Services		For: Campbell, P.A. c/o Tucker Byrd, Esq.	
To be served upon: MAMA GERI'S RESTAURANT AND BAR, LLC			

I, Sandra Patton, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: MAMA GERI'S RESTAURANT AND BAR, LLC, COMPANY: 1981 NORTH WICKHAM ROAD, MELBOURNE, FL 32935
Manner of Service: Posted, Nov 2, 2024, 10:35 am EDT
Documents: 5-DAY EVICTION SUMMONS, COMPLAINT, and EXHIBITS (Received Nov 1, 2024 at 9:52am EDT)

Additional Comments:
 1) Unsuccessful Attempt: Nov 1, 2024, 10:55 am EDT at COMPANY: 1981 NORTH WICKHAM ROAD, MELBOURNE, FL 32935
 The restaurant is permanently closed and vacant
 2) Unsuccessful Attempt: Nov 2, 2024, 10:30 am EDT at COMPANY: 1981 NORTH WICKHAM ROAD, MELBOURNE, FL 32935
 Business closed
 3) Successful Attempt: Nov 2, 2024, 10:35 am EDT at COMPANY: 1981 NORTH WICKHAM ROAD, MELBOURNE, FL 32935 received by MAMA GERI'S RESTAURANT AND BAR, LLC.


 Sandra Patton
 #375


 Date

Diligent Legal Services

EXHIBIT “B”

IN THE CIRCUIT COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA

DIVISION: CIVIL

CASE NUMBER: 05 - 2024 - CA - 052930 -XXCA-BC

PLAINTIFF / PETITIONER

GEOSAV PROPERTIES LLC

DEFENDANT / RESPONDENT

MAMA GERIS RESTAURANT BAR

JEFFREY ROBERT FORDLEY

CLERK'S CERTIFICATE OF MAILING

I, RACHEL M. SADOFF, Clerk of the Circuit and County Court in and for Brevard County, Florida, DO HEREBY CERTIFY that on the 14 day of NOVEMBER, 2024,
 I did not mail I did mail a copy of the COMPLAINT, 5 DAY SUMMONS
20 DAY SUMMONS _____, in the above styled cause to:

MAMA GERIS RESTAURANT AND BAR
1551 WHITMAN DR
W MELBOURNE FL 32904-8745

MAMA GERIS RESTAURANT AND BAR
1981 WICKHAM RD
MELBOURNE FL 32935

WITNESS my hand and Official Seal on the 14 day of NOVEMBER, 2024, in
Titusville _____, Brevard County, Florida.



Deputy Clerk: SHERYL P
Brevard County Clerk of Courts

EXHIBIT “C”

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR BREVARD COUNTY,
FLORIDA

GEOSAV PROPERTIES, LLC,

Plaintiff,

v.

CASE NO.: 05-2024-CA-052930

MAMA GERI'S RESTAURANT AND
BAR, LLC; and JEFFREY ROBERT
FORDLEY,

Defendants.

JUDGMENT OF FINAL REMOVAL

This cause coming before this Court on the Complaint for Removal of Tenant filed by the Plaintiff(s) and any response thereto filed by the Defendant(s), and the Court having reviewed the pleadings and having been otherwise advised in the premises, the Court finds as a matter of fact and concludes as a matter of law as follows:

1. Having been served with the said Complaint for Removal of Tenant alleging non payment of rent under a commercial lease, the Defendant defaulted by: failing to timely answer and by omitting to deposit timely in the registry of the Court the amount of the accrued rent, as required by Section 83.60(2), Florida Statutes.

Therefore, it is hereby **ORDERED AND ADJUDGED:**

1. Plaintiff, GEOSAV PROPERTIES, LLC ("Plaintiff") recovers from the Defendants, MAMA GERI'S RESTAURANT AND BAR, LLC; and JEFFREY ROBERT FORDLEY (collectively "Defendants"), possession of the following described property in Brevard County, Florida;

2. Upon rendition of this Judgment at _____ AM or PM on _____ or as soon thereafter as practicable, upon twenty-four hours' notice conspicuously posted on the premises. The Clerk shall issue Writs of Possession forthwith.

3. The Plaintiff recover from Defendants the sum of \$____ for costs, for which let execution issue. This Judgment shall accrue interest at the annual rate designated by the Comptroller of the State of Florida.

It is further ORDERED AND ADJUDGED that the parties are identified as follows:

The Plaintiff:

The Defendants:

DONE AND ORDERED in Chambers in Brevard County, Florida this _____ day of _____ 2024.

The Honorable Benjamin B. Garagoslo
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ___ day of November 2024, a copy of the foregoing was filed with the Clerk of this Court by using the Florida Courts E-Filing Portal System, which will serve a copy to all attorneys and interested parties identified on the Portal Electronic Service List via transmission of Notices of Electronic Filing.

Judicial Assistant