

Filing # 228382806 E-Filed 07/30/2025 02:38:15 PM

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY, FLORIDA**

GULF STATES CAPITAL,
a Texas general partnership,
Plaintiff,

v.

KENNETH L. JACKSON; LAVON
JACKSON; VELOCITY INVESTMENTS,
LLC, a New Jersey limited liability
company; CALVARY SPV 1, LLC, a
Delaware limited liability company, AS
ASSIGNEE OF SYNCHRONY BANK;
UNKNOWN TENANT #1; and
UNKNOWN TENANT #2,
Defendants.

CASE NO. 31-2023-CA-000995

AMENDED FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on July 30, 2025 on **Plaintiff's, Gulf States Capital, a Texas general partnership**, Motion to Lift Stay, Amend Final Judgment of Foreclosure, and Reset Foreclosure Sale Date, and on the evidence presented and being otherwise duly advised in the premises, finds that a Final Judgment of Foreclosure was entered on November 7, 2024; that a Suggestion of Bankruptcy (purportedly the third filing) was filed on February 4, 2025 and the bankruptcy case was dismissed on May 16, 2025; that Plaintiff has incurred additional attorneys' fees and costs and additional interest has accrued and the Final Judgment should be amended and sale rescheduled and it is thus

ORDERED AND ADJUDGED that:

1. **Amounts Due.** Plaintiff, **Gulf States Capital**, whose address is 4150 Southwest Drive, Suite 210, Abilene, TX 79606, is due:

[Intentionally Left Blank]

Principal due on the note secured by the mortgage foreclosed:	\$334,923.40
Interest on the note and mortgage from 6/02/2023 – 11/06/2024 (Per diem at \$167.40 from 6/02/2023 – 11/06/2024 = 523 days) Default Interest Rate of 18% per the Promissory Note	\$87,550.20
Post-Judgment Statutory Interest from 11/06/24 – 07/30/25 (Per diem at \$112.64 from 11/06/24 – 1/01/25 at Rate of 9.50% on the previous Final Judgment amount of \$433,981.87; Per diem at \$111.52 from 1/01/25 – 4/01/25 at Rate of 9.38%; Per diem at \$108.79 from 4/01/25 – 7/01/25 at Rate of 9.15%; Per diem at \$105.82 from 7/01/25 – 7/30/25 at Rate of 8.90%)	\$29,313.31
Late charges (\$148.23 monthly from July 2023 to August 2023)	\$296.46
Title search expenses	\$250.00
	\$2,196.79
	\$51.75
	\$70.00
	\$70.00
Filing fees and additional clerk expenses	\$72.45
	\$605.94
Service of process/Publication	\$597.84
Additional costs	\$269.08
Total Attorney's Fees as of November 7, 2024	\$7,890.00*
TOTAL SUM per Judgment	\$464,157.22*

3. **Interest.** The total sum in paragraph 2 must bear interest from this date forward at the prevailing statutory rate of interest.

4. **Lien on Property.** Plaintiff holds a lien for the total sum specified in Paragraph 2 above. The lien of the Plaintiff is superior in dignity to any right, title, interest, or claim of the defendants and all persons, corporations, or other entities claiming by, through, or under the Defendants, or any of them and the property will be sold free and clear of all claims of the defendants, with the exception of any assessments that are superior pursuant to sections 718.116 and 720.3085, Florida Statutes. The Plaintiff's lien encumbers the subject property located in Indian River County, Florida and described as:

Legal Description: Lots 8 and 9, Block H, CAVALIER ESTATES A/K/A LINCOLN ESTATES, according to the plat thereof as recorded in Plat Book 4, Page 82, of the Public Records of Indian River County, Florida, together with the North ½ of abandoned 46th Street abutting the Southerly side of Lot 9 of said subdivision per Resolution 2005-171 recorded in Book 1951, Page 1638 in said county.

Parcel ID #: 26-28-16-538000-000300
C/K/A: 4616 47th Court, Vero Beach, FL 32967

5. **Sale of Property.** If the total sum described in Paragraph 2 with interest at the rate described in Paragraph 3 and all costs accrued subsequent to this judgment are not paid, the clerk of this court must sell the property at public sale on **SEPTEMBER 10, 2025** to the highest bidder for cash, except as prescribed in paragraph 6, by electronic sale at **Indian River County beginning at 10:00 a.m. www.indian-river.realforeclose.com** **The public sale must not be postponed or canceled without a court order. All orders postponing or canceling the sale must be filed with the clerk of court no later than 5:00 p.m. five (5) business days before the sale date. Counsel for plaintiff must be certain that all sale and clerk fees are paid and that the original proof of publication is filed no less than five (5) business days before the sale date. Failure to timely file the original proof of publication of the notice of sale and pay the sale and clerk fees will stop the sale. Additionally, the failure of plaintiff's counsel to pay the sale fee and properly and timely publish the notice of sale may result in sanctions against the plaintiff, plaintiff's counsel individually, and the law firm representing the plaintiff.** Any electronic sale by the clerk must be in accordance with the written administrative policy for electronic sales published by the clerk at the official website for the clerk and posted in the public areas of the clerk's offices.

6. **Costs.** Plaintiff must advance all subsequent costs of this action and must be reimbursed for them by the clerk if Plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale must be responsible for the documentary stamps payable on the certificate of title. If Plaintiff is the purchaser, Plaintiff must file an affidavit within 5 business days and the clerk must credit Plaintiff's bid with the total sum with post-judgment interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full. The clerk must receive the service charge imposed in Section 45.031, Florida Statutes.

7. **Distribution of Proceeds.** On filing the certificate of title, the clerk must distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of Plaintiff's costs; second, documentary stamps affixed to the certificate, unless the property is purchased by a third party bidder; third, Plaintiff's attorneys' fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 3 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

8. **Right of Redemption.** On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens must be foreclosed of all estate or claim in the property, and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes, must be terminated,

except as to the rights of a bona fide tenant occupying residential premises under the federal Protection Tenants at Foreclosure Act, 12 U.S.C. sec. 5220, note, or section 83.5615, Florida Statutes, and claims or rights under chapter 718 or chapter 720, Florida Statutes, if any.

9. **Right of Possession.** On the filing of the certificate of title, the person named on the certificate of title must be let into possession of the property subject to the rights of a bona fide tenant occupying residential premises under the Federal Protecting at Foreclosure Act, 12 U.S.C. sec 5220, note, or section 83.5615, Florida Statutes. If any defendant or tenant remains in possession of the property, an Order Granting the Motion For Writ of Possession must be entered without further notice or hearing, subject to the purchaser's compliance with Section 83.5615, Florida Statutes.

10. **Attorneys' Fees.*** The determination of the reasonableness of the additional attorneys fees incurred post-judgment (11/7/24) is hereby scheduled for an evidentiary hearing via Zoom videoconferencing (by agreement of the parties) per *Florida Patients Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985) on **August 27, 2025 at 1:00 p.m.** via Zoom.

11. **Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, writs of possession and such supplemental relief or judgments as may be appropriate.

12. IMPORTANT INFORMATION PROVIDED. IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT. IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN THE DATE THAT THE CLERK REPORTS THE FUNDS AS UNCLAIMED. IF YOU FAIL TO FILE A TIMELY CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT, 2000 16TH AVENUE, CIVIL DEPARTMENT, ROOM 136, VERO BEACH, FL 32960, (772) 226-3100, WITHIN 10 DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT FLORIDA RURAL LEGAL SERVICE – FORT PIERCE OFFICE, 510 SOUTH US HIGHWAY 1, SUITE 1, FORT PIERCE, FLORIDA 34948, (772) 466-4776, TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT FLORIDA RURAL LEGAL SERVICE – FORT PIERCE OFFICE, (772) 466-4776, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on July 30, 2025 in Indian River County, Florida.

eSigned by Judge Cynthia L. Cox 07/30/2025 12:46 pm
CYNTHIA L. COX, Circuit Judge

A COPY OF THIS ORDER IS BEING SERVED ON THE FOLLOWING PARTIES VIA THE E-FILING PORTAL:

Attorney for Plaintiff: Barbara M. Brown, Esq., courtdocuments@brownalt.com
Attorney for Defendants: Tiffani Thornton, Esq., tiffani@tktlaw.org

COUNSEL FOR PLAINTIFF SHALL IMMEDIATELY SERVE A COPY OF THIS ORDER ON THE FOLLOWING PARTIES AND FILE A CERTIFICATE OF SERVICE IN THIS COURT FILE:

Kenneth L. Jackson
4616 47th Court
Vero Beach, FL 32967

Lavon Jackson
4616 47th Court
Vero Beach, FL 32967

Cavalry SPV I, LLC
c/o C.T. Corporation System
1200 South Pine Island Road
Plantation, FL 33324

Velocity Investments, LLC
c/o Corporation Service
Company
1201 Hays Street
Tallahassee, FL 32301

