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

P. DAVID MOON,
Plaintiff,
vs.

CASE NO. 31 2026 CA 000587
312026CA000587AXXXVB

**JUSTE REAL ESTATE, LLC, A FLORIDA LIMITED
LIABILITY COMPANY, JANE DOE, UNKNOWN
TENANT IN POSSESSION, AND JOHN DOE,
UNKNOWN TENANT IN POSSESSION,**
Defendant(s).

_____ /

FINAL JUDGMENT OF FORECLOSURE

THIS ACTION was heard before the Court on October 5, 2026 on the Order to Show Cause and on the evidence presented and being otherwise duly advised in the premises, finds that the Defendant was served on August 6, 2026; that no answer was filed; that on September 28, 2026, Defendant filed a motion to dismiss and has acknowledged that it can be denied; that a response and objection were filed eight minutes before the hearing seeking additional time to respond; that no legal defense or executed sworn declaration has been filed and Defendant has not shown good cause and it is thus

ORDERED AND ADJUDGED that:

1. Final Judgment. Pursuant to Fla. Stat. 702.10(1), Plaintiff is entitled to entry of final judgment. Plaintiff proved its *prima facie* case for foreclosure: (1) execution of a note and mortgage; (2) breach of the note and mortgage; (3) acceleration; and (4) damages. Plaintiff had standing to foreclose pursuant to § 673.3011(1), Florida Statutes. The Court further finds Defendants have not proven any avoidances to the entry of final judgment of foreclosure.

2. Value of Claim. At the initiation of this action, in accordance with Fl. Stat. 28.241(1)(a)2.b, Plaintiff estimated the amount in controversy of the claim to be **\$277,565.37**. In accordance with Fl. Stat. § 28.241(1)(a)2.c, the Court identifies the actual value of the claim to be **\$294,155.33**, as set forth below. For any difference between the estimated amount in controversy and the actual value of the claim that requires the filing fee to be adjusted, the Clerk shall adjust the filing fee. In determining whether the filing fee needs to be adjusted, the graduated filing fee scale in Fl. Stat. § 28.241(1)(a)2.d controls. If an excess filing fee was paid, the Clerk shall provide a refund of the excess fee. If an additional filing fee is owed, the Plaintiff shall pay the additional fee at least five

(5) business days prior to the judicial sale. If any additional filing fee owed is not paid prior to the judicial sale, the Clerk shall cancel the judicial sale without further order of the Court.

3. Amounts Due. Plaintiff, **P. David Moon, with an address of 303**

Briarcliff Circle, Sebastian, FL 32958, is due:

Principal	\$273,724.84
Interest on the note and mortgage from May 1, 2026 to July 7, 2026 at 6.00% per annum	\$1,709.84
Interest on the note and mortgage from July 8, 2026 to October 5, 2026 at 18.00% per annum	\$12,013.90
Title search expense	\$50.00
Attorneys' fees	
Finding as to reasonable number of hours (10.11 hours (attorney) / 1 hour (law clerk) 11.11	
Finding as to reasonable hourly rate (\$425.00 – attorney / \$150.00 – law clerk)	
Attorneys' fees total	\$4,446.75
Court costs	
Filing fee	\$2,090.00
Service of Process at \$40.00 per Defendant	\$120.00
TOTAL	\$294,155.33

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

5. Lien on Property. Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s), (with the exception of any assessments that are superior pursuant to Section 718.116, or 720.3085, Florida Statutes) on the following described property in Indian River County, Florida:

LOTS 3 AND 4, EAST OF U.S. HIGHWAY #1, BLOCK 2, GRAVES ADDITION TO WABASSO, FLA., ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 41 OF THE PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA. Property Address: 8496 U.S. HIGHWAY ONE, VERO BEACH, FL 32967

6. Sale of Property. If the total sum with interest at the rate described in paragraph 2 and all costs accrued subsequent to this judgment are not paid, the Clerk of this court must sell the property at public sale on **NOVEMBER 5, 2026** 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, in accordance with section 45.031, Florida Statutes. **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.

7. 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.

8. 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; third, Plaintiff's attorneys' fees; fourth, the total sum due to Plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 2 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

9. 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 Protecting 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.

10. 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 Tenants 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.

11. Attorneys' Fees. Because this judgment has been entered pursuant to Fla. Stat. 702.10 and because the fees requested do not exceed 3% of the principal amount owed at the time the complaint was filed, it is not necessary for the Court to hold a hearing or adjudge the requested attorneys' fees to be reasonable. Plaintiff's counsel represents that the attorney's fees awarded do not exceed its contract fee with the Plaintiff. The Court finds that there are no reduction or enhancement factors for consideration by the Court under *Florida Patients Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985). (If the Court has found that there are reduction or enhancement factors to be applied, then such factors must be identified and explained herein).

12. 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.

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 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 –

10570 S. US HIGHWAY 1, THIRD FLOOR, PORT ST. LUCIE, FLORIDA 34952, 772-466-4766, 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 – TREASURE COAST OFFICE, (772) 466-4766, FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

DONE AND ORDERED on October 5, 2026 at Vero Beach, Indian River County, Florida

eSigned by Judge Cynthia L. Cox 10/05/2026 10:53 am

CYNTHIA L. COX, CIRCUIT JUDGE

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

Barry G. Segal, Esquire, Barry G. Segal, P.A., barry@verobeach-law.com
Andrew FitzPatrick, Esquire, Kyle & Kyle Law, andrew@kyleandkylelaw.com