

PETITION FOR RETURN OF FIREARM(S) PETITIONER'S CHECKLIST

Step One - Fill out the Petition

Print the packet for free online or pay \$.75 for the packet at the Clerk's office

Before you file a PETITION FOR RETURN OF FIREARM(s) you will need to complete the following documents:

- Petition for Return of Firearm(s) – make 2 copies
 - (1) Original filed with the Clerk, (1) Copy to be served on the Law Enforcement Agency and (1) Copy for your records
 - The Clerk will assign a case number so leave that line blank.

Step Two - File Petition with the Clerk

To file a PETITION FOR RETURN OF FIREARM(s) you will need to file the following documents with the Clerk's office:

- Petition for Return of Firearm(s) with a copy of the report from the law enforcement agency detailing the circumstances which led to the taking of the firearm(s) attached.
- The Clerk will assign the case number. Write the case number on the Petition, Notice of Hearing and Order.

Step Three - Serve copies of the Petition

- Serve a copy of the completed Petition on the Law Enforcement Agency (via hand delivery or mail) pursuant to the certificate of service)

Step Four - Schedule a Hearing

You need to schedule a hearing with the Judges Judicial Assistant.

- Call 727-582-7272 to schedule a hearing
 - Fill out the Notice of Hearing including the case number
 - (1) Copy to be served on the Law Enforcement Agency no later than 14 days before the hearing
 - (1) Copy for the Judges Office no later than 14 days before the hearing
- Honorable Anthony Rondolino
545 1st Ave N #317
St. Petersburg, FL 33701

Step Five - Attend the Hearing

The Judge will need an unsigned copy of the order to sign.

- Fill out the unsigned order through line number 5. (The Judge will date and sign the order.)
- Take any exhibits, forms, reports or documents required in the Administrative Order No. 2016-006 PI-CIR - Section 2 to the hearing for the Judge to review.

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR PINELLAS COUNTY
CRIMINAL DIVISION**

Petitioner,

Case Number: _____

v.

Respondent (Law Enforcement Agency).

PETITION FOR RETURN OF FIREARM(S)

COMES NOW, Petitioner, _____, and hereby
(Petitioner's printed name)
requests an order directing Respondent to return his/her firearm(s) and/or ammunition and as
grounds would state as follows:

1. On _____, the _____ took the following firearm(s)
(Date) (Law enforcement agency)
and/or ammunition:

(Specifically identify the firearm(s) and/or ammunition sought to be returned, including the make, model,
caliber, and/or gauge of each firearm and the amount and type of ammunition. Attach a separate sheet, if
necessary.)

2. I have attached a copy of agency report _____ from the
(Agency report number)
_____ that describes the circumstances leading to the
(Law enforcement agency)
taking of the above property.
3. The firearm(s) (and, if applicable, ammunition) is/are my personal property. I have
included copies of any supporting documentation.
4. The firearm(s) and/ or ammunition is/are not the fruit of criminal activity and was/were
not involved in criminal activity.
5. The firearm(s) and/or ammunition is/are not being held as evidence by the law
enforcement agency.
6. To the best of my knowledge, _____ located at
(Law enforcement agency)

_____ is in possession of the firearm(s) and/or
(Address of law enforcement agency)
ammunition.

7. I am not prohibited from possessing a firearm and/or ammunition under any provision of Florida or federal law.
8. I have not been convicted of a misdemeanor crime of domestic violence, and I have not had adjudication of guilt withheld or imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred.
9. I am not prohibited from possessing a firearm and/or ammunition pursuant to the terms of any pretrial release, bond, probation, or any other type of community supervision or court program.
10. I was/was not (*circle one*) Baker Acted as a result of this incident or otherwise. (Note: If the petitioner has been Baker Acted, the petitioner must provide the Judge with a copy of the documents furnished to the petitioner or the petitioner's representative by the facility, upon or after discharge of the petitioner from the facility, which contain any evaluations, diagnosis, prognoses, recommended course of treatment, and recommended or prescribed medications.)
11. I do not have an active Domestic Violence Injunction or a Repeat Violence Injunction against me.
12. I do not have a Domestic Violence Injunction or a Repeat Violence Injunction pending against me.
13. I have not been adjudicated mentally defective as defined by section 790.065(2)(a)4.a., Florida Statutes, or if I had been adjudicated mentally defective, I have had my capacity restored by a court for at least 5 years from today's date.
14. I have not been committed to a mental institution as defined in section 790.065(2)(a)4.b., Florida Statutes, or if I had been committed to a mental institution, I possess a certificate from a licensed psychiatrist that I have not suffered from a mental disability for at least 5 years since the commitment to a mental institution.
15. My date of birth is: _____.
(Date of birth)

WHEREFORE, Petitioner requests that the Court order Respondent to return the above firearm(s) and/or ammunition to Petitioner.

Under penalties of perjury, I declare that I have read this petition and that the statements in it are true and correct.

Signed this _____ day of _____, 20____.

(Petitioner's signature)

(Petitioner's printed name)

(Petitioner's address)

(Petitioner's city, state, zip code)

(Petitioner's telephone number)

(Petitioner's e-mail address, if applicable)

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Petition for Return of Firearm(s) has been furnished to Respondent, _____,
(Law enforcement agency)

(Address of law enforcement agency)
by U.S. mail or by hand delivery to the law enforcement agency's front desk on this _____ day of _____, 20____.

(Petitioner's signature)

(Petitioner's printed name)

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR PINELLAS AND PASCO COUNTIES
CRIMINAL DIVISION**

Petitioner,

Case Number: _____

v.

Respondent (Law enforcement agency).

NOTICE OF HEARING

TO: _____
(Name, legal counsel)

(Law enforcement agency)

(Street address)

(City, State, Zip)

YOU ARE HEREBY NOTIFIED that the Petitioner's Petition for Return of Firearm(s) has been scheduled for a hearing before the Honorable _____, in
(Judge name)
Courtroom _____ at the _____, on the _____ day
(Courtroom number) (Courthouse name) (Day)
of _____, 20____, at _____: _____ **a.m. / p.m.** or as soon thereafter as may be heard.
(Month) (Year) (Time) (Circle one)

DATED this _____ day of _____, 20____.

Respectfully submitted,

(Petitioner's signature)

Copies furnished to:

(Petitioner's printed name)

Courtesy copy to Judge

(Petitioner's address)

(Law enforcement agency)

(Petitioner's city, state, zip code)

(Petitioner's telephone number)

(Petitioner's e-mail address, if applicable)

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR PINELLAS COUNTY
CRIMINAL DIVISION**

_____,
Petitioner,

Case Number: _____

v.

_____,
Respondent (Law Enforcement Agency).

ORDER ON PETITION FOR RETURN OF FIREARM(S)

THIS CAUSE came before the Court on Petitioner's Petition for Return of Firearm(s). The Court having reviewed the Petition, taken testimony, heard argument, and being otherwise fully advised in the premises, it is:

ORDERED AND ADJUDGED that Petitioner's Petition for Return of Firearm(s) is hereby **GRANTED / DENIED** as to the following firearm(s):

1. _____
2. _____
3. _____
4. _____
5. _____

DONE AND ORDERED in _____,
County, this _____ day of _____, 20_____.

Circuit Court Judge

Copies furnished to:
Petitioner
Respondent