

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**CENTRAL FLORIDA COUNCIL
BOY SCOUTS OF AMERICA, INC.,**

Counterclaim Plaintiff,

-vs-

Case No. 6:07-cv-1091-Orl-19GJK

**PALMA RASMUSSEN,
KEITH RASMUSSEN,**

Counterclaim Defendants.

ORDER

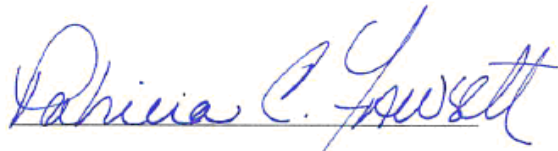
This case comes before the Court on the Surrender Report and Motion for Writ of Replevin by Central Florida Council Boy Scouts of America, Inc. (“Council”). (Doc. No. 243, filed May 7, 2010.)

Pursuant to the Court’s Order dated March 29, 2010, Counterclaim Defendants Palma and Keith Rasmussen were ordered to return several items of scouting equipment to the Council. (Doc. No. 232.) The Council identifies twenty-seven items that have not been returned by the Rasmussens and requests a writ of replevin for those items. (Doc. No. 243 at 2-3.) However, the Council fails to describe any of the items such that an officer executing the writ could identify the items, as required by Florida law and this Court’s Order dated March 29, 2010. *See Williams Mgmt. Enters., Inc. v. Buonauro*, 489 So. 2d 160, 162 (Fla. 5th DCA 1986) (“[T]he description should be such as will enable the officer who makes the seizure to identify it.”); (Doc. No. 232 at 24 (“If a writ of replevin is requested, the Council shall include a description of the claimed property that is sufficient to make possible its identification by an officer executing a writ.”).) Accordingly, a writ of replevin shall not issue at this time and will be denied without prejudice.

Conclusion

Based on the foregoing, it is hereby **ORDERED** and **ADJUDGED** that the Motion for Writ of Replevin by Central Florida Council Boy Scouts of America, Inc. (Doc. No. 243) is **DENIED** **without prejudice to its reassertion.**

DONE and **ORDERED** in Chambers in Orlando, Florida on May 26, 2010.



PATRICIA C. FAWSETT, JUDGE
UNITED STATES DISTRICT COURT

Copies furnished to:

Counsel of Record