

**IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT,
IN AND FOR COLUMBIA, DIXIE, HAMILTON, LAFAYETTE, MADISON,
SUWANNEE, AND TAYLOR COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER 2020- 013

**IN RE: TRANSFER OF PENDING APPEALS FROM THE CIRCUIT COURT
TO THE DISTRICT COURT OF APPEAL**

WHEREAS, Article V, section 5(b), Florida Constitution bestows circuit courts with “jurisdiction of appeals when provided by general law”; and

WHEREAS, the Florida Legislature in chapter 20-61, section 3, Laws of Florida, amended section 26.012(1), Florida Statutes, and in chapter 20-61, section 8, repealed section 924.08, Florida Statutes, to remove circuit court jurisdiction over certain appeals of county court orders or judgments; and

WHEREAS, the effective date of these statutory changes is January 1, 2021; and

WHEREAS, the orderly transfer of cases requires coordination between the Third Judicial Circuit, the Clerks of Court for Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee and Taylor Counties and the First District Court of Appeal;

NOW THEREFORE, IT IS ORDERED that:

1. Attachment One to this Order is a list of county court appeals, by county, pending as of November 30, 2020, that will be affected by the jurisdictional change unless completed before January 1, 2021.
2. On January 4, 2021, an Amended Administrative Order will issue to update Attachment One by omitting cases that were disposed of prior to January 1, 2021, and by including cases that were filed after November 30, 2020, and not disposed of prior to January 1, 2021.
3. The following provisions are effective January 1, 2021:
 - a. The appeals pending in the Third Judicial Circuit in and for Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee and Taylor Counties, Florida, on January 1, 2021, are hereby transferred to the District Court of Appeal for the First District.
 - b. This Order shall be docketed in each appellate case to be transferred and served on the attorneys and pro se parties in the case by electronic transmission or United States Mail.
 - c. By no later than January 1, 2021, the Clerk shall transfer via the Florida Courts E-Filing Portal all documents on the docket of each appellate case to the Clerk of the First District Court of Appeal in the manner requested by the District Court.

d. For each transferred case, the Clerk of the Circuit Court shall include: (i) an Appeal Transfer Form substantially mirroring the form included with this Order as Attachment two; (ii) a progress docket report for the circuit court appeal; and (iii) the civil cover sheet from the underlying county court case if available.

e. The Clerk shall list on the Appeal Transfer Form the underlying county court case number (Uniform Case Numbering (UCN) System court types CC, CT, MM, and SC), the circuit appeal case number (UCN court type AP), and any local case number assigned in addition to the UCN numbers.

f. For transferred cases where the filing fee is owed, the Clerk shall promptly file a status report with the First District Court of Appeal when the fee is satisfied by payment or indigency determination. In the event the fee has not been timely paid, the Clerk shall promptly notify the First District Court of Appeal.

g. All pending motions in each transferred case are hereby deferred to the transferee First District Court of Appeal.

4. Any future filings by a party to an appellate case shall be submitted electronically to the First District Court of Appeal via the Florida Courts E-Filing Portal. Pro se submissions may be filed via the portal or by hard copy mailed to the First District Court of Appeal at 2000 Drayton Drive, Tallahassee, Florida 32399-0950.
5. If not already registered, attorneys in the transferred cases shall register with eDCA for the First District Court of Appeal by following the procedures on the First District Court of Appeal's website. Pro se parties are permitted, but not required, to register with eDCA to receive electronic access to case filings and electronic service of District Court acknowledgement letters, orders, opinions, and mandates.

DONE AND ORDERED in Columbia County, Florida, this 30th day of November 2020.

Mark E. Feagle, Chief Judge

cc: Columbia County Clerk of Court c/o Brian K. Crews, Bkcrews@columbiaclerk.com
Suwannee County Clerk of Court c/o Sandra Blanton, sandrab@suwgov.org
Charles Hydovitz, Court Administrator, Hydovitz.Charles@jud3.flcourts.org
All Third Circuit Judges
Clerks of Court, Third Judicial Circuit

Attachment One: List of county court appeals subject to transfer as of November 30, 2020

Attachment Two: Appeal Transfer Form

ATTACHMENT ONE

List of County Court appeals subject to transfer pending as of November 30, 2020.

Columbia

1. Howard Taylor v. Tracie Phillips
County Court Case No.: 12-2009-1095-SC; Appellate Case No.: 12-~~1010~~-191-CA(AP) (case number incorrectly placed in ICMS as 1010 instead of 2010)
2. Tonya Brooks v. Terri Kneppar
County Court Case No.: 12-~~1313~~-383-CA (case number incorrectly placed in ICMS as 1313 instead of 2013); Appellate Case No.: 12-2013-32-AP

Suwannee

1. International Comfort Products, LLC v. Robert Earl Case Jr. and Diana Case
County Court Case No.: 2017-0450-SC; Appellate Case No.: 2019-35-AP
2. Ford Motor Company v. Robert Earl Case, Jr.
County Court Case No.: 2018-0167-SC; Appellate Case No.: 2019-22-AP
3. Todd Gordon v. Duncan Systems and Progressive Select Ins.
County Court Case No.: 2019-0477-SC; Appellate Case No.: 2020-17-AP

ATTACHMENT TWO

APPEAL TRANSFER FORM

Appellant(s)

County

v.

Appellee(s)

L.T. Case No.: _____

UCN No.: _____

Appeal Case No.: _____

UCN No.: _____

___ Progress docket for appellate case included.

___ Civil cover sheet for county court case included.

___ An appellate filing fee appears to be required

___ and has been paid.

___ but has not been paid.

___ Appellant has been determined to be indigent.

___ There is no filing fee in this type of proceeding (e.g., postconviction, habeas corpus).

___ Pending motions transferred with appeal.

Further comments that might be of value to the district court in determining case classification and jurisdiction are:

Deputy Clerk (Only initials needed)