

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER 2021-01

**In Re: TRANSFER OF PENDING APPEALS FROM THE CIRCUIT COURT TO
THE FIRST DISTRICT COURT OF APPEAL**

WHEREAS, Article V, section 5(b) of the 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20-61, section 3, Laws of Florida, amended section 26.012(1), Florida Statutes, and in Chapter 20-61, section 8, repealed section 924.08, Florida Statutes, to remove circuit court jurisdiction over certain appeals of county court orders or judgments; and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 the statutory changes is January 1, 2021; and

WHEREAS, the orderly transfer of cases requires coordination between the First Judicial Circuit, the Clerks of Court for Escambia, Santa Rosa, Okaloosa, and Walton Counties; and the First District Court of Appeal;

NOW THEREFORE, IT IS ORDERED:

- 1) Attachment One to this order is a list of county court appeals, by county, that remained pending as of midnight on December 31, 2020, and are affected by the jurisdictional change.
- 2) These provisions are effective January 1, 2021:
 - a) These appeals, pending in the First Judicial Circuit in and for Escambia, Santa Rosa, Okaloosa and Walton Counties, are hereby transferred to the First District Court of Appeal.
 - b) This order shall be docketed in each appellate case that is to be transferred and served on the attorneys and pro se parties in the case via the E-filing Portal or by U.S. mail.
 - c) As soon as possible, but no later than January 29, 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 (1) an Appeal Transfer Form substantially mirroring the form included with this order as Attachment

2; (2) a progress docket report for the circuit court appeal; and (3) 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 court appeal case number (UCN court type AP), and any local case number assigned in addition to the UCN numbers.
 - f) For transferred cases in which the filing fee is owed, the Clerk shall promptly file a status report with the 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 District Court of Appeal.
 - g) Any and all pending motions in each of the transferred cases are hereby deferred to the First District Court of Appeal.
- 3) Any future filing by a party to an appellate case affected by the statutory change shall be submitted 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, FL 32399-0950.
- 4) If not already registered, attorneys in the transferred cases shall register with eDCA for the 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 acknowledgment letters, orders, opinions, and mandates.

This order supersedes Amended AO 2020-40, entered December 14, 2020, entitled: "In Re: Transfer of Pending Appeals from the Circuit Court to the District Court of Appeal."

DONE AND ORDERED in Pensacola, Florida, this 14th day of January 2021.


JAN SHACKELFORD
Acting Chief Judge

cc: Attachment 1
Attachment 2

Copies to:

All Judges, First Judicial Circuit

All Clerks, First Judicial Circuit

Ginger Bowden Madden, State Attorney, First Judicial Circuit

Robin Wright, Trial Court Administrator

Craig Waters, Director of Public Information, Florida Supreme Court

For Broadcast by Escambia-Santa Rosa Bar Association

For Broadcast by Okaloosa County Bar Association

For Broadcast by Walton County Bar Association

For Posting at www.FirstJudicialCircuit.org

ATTACHMENT ONE

Escambia County Pending Appeals as of 12/31/2020

Case Number	Case Status	Case Type Description	Case Style	Case Open Date
2020 AP 000017	OPEN	APPEAL FROM COUNTY COURT	REED, AARONEY OKEVIOUS vs. STATE OF FLORIDA	12/03/2020
2020 AP 000014	OPEN	APPEAL FROM COUNTY COURT	COWLEY, STEVEN vs. SPICLIFF INC	12/01/2020
2020 AP 000013	OPEN	APPEAL FROM COUNTY COURT	GILMORE CHIROPRACTIC PA vs. PROGRESSIVE AMERICAN INSURANCE CO	11/05/2020
2020 AP 000012	OPEN	APPEAL FROM COUNTY COURT	BENSON, TERESA vs. BANI, MIKE BEN	09/29/2020
2020 AP 000011	OPEN	APPEAL FROM COUNTY COURT	STALLWORTH, BOBBY JOSEPH vs. STATE OF FLORIDA	08/17/2020
2020 AP 000007	OPEN	APPEAL FROM COUNTY COURT	KOLLER, DANIEL DAVID III vs. STATE OF FLORIDA	07/08/2020
2020 AP 000002	OPEN	APPEAL FROM COUNTY COURT	SAVAGE, JAMAAL REYSHARD vs. STATE OF FLORIDA	03/11/2020
2019 AP 000022	OPEN	APPEAL FROM COUNTY COURT	PRICE, STEPHEN M vs. SHOUSE, ADAM	10/08/2019
2019 AP 000021	OPEN	APPEAL FROM COUNTY COURT	ROBBINS, DEIDRICK RAYSEAN vs. STATE OF FLORIDA	09/26/2019
2019 AP 000008	OPEN	APPEAL FROM COUNTY COURT	WILHELM, GREGORY BOYD vs. SMITH, GREGORY D	02/25/2019
2020 AP 000016	OPEN	APPEAL FROM COUNTY COURT	MORIN, NORMAN vs. GRANITE ADMIRAL MHC LLC	12/22/2020
2020 AP 000018	OPEN	APPEAL FROM COUNTY COURT	WOOD, GRANT vs. MONTGOMERY, JAVAN	12/10/2020
2020 AP 000019	OPEN	APPEAL FROM COUNTY COURT	BRISTOW, BRAD vs. HARRIS, KARA	12/22/2020

Santa Rosa County Pending Appeals as of 12/31/2020

1089128	OPEN	APPEAL FROM COUNTY COURT	THOMAS ALBERT SOSNOWSKI vs. STATE OF FLORIDA	02/09/2018
1104517	OPEN	APPEAL FROM COUNTY COURT	JASON MICHAEL ZDON SR vs. STATE OF FLORIDA	05/07/2020

Okaloosa County Pending Appeals as of 12/31/2020

2948173	OPEN	APPEAL FROM COUNTY COURT	ALEXIS ZAMORA ALMEIDA vs. STATE OF FLORIDA	10/30/2018
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Walton County Pending Appeals as of 12/31/2020

435096	OPEN	APPEAL FROM COUNTY COURT	MATTHEW E GILES vs. PORTFOLIO RECOVERY ASSOCIATES LLC	12/22/2016
446778	OPEN	APPEAL FROM COUNTY COURT	RAMON SERRUD SIRIAS vs. KEEFE ACCESS CONNECTIONS	11/20/2017
463157	OPEN	APPEAL FROM COUNTY COURT	ROBBIE SUE GUSTAFSON vs. IMPERIAL LAKES OF WALTON COUNTY HOMEOWNERS ASSOC	05/15/2019

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)