

**IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE AND OSCEOLA COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER 2020-28

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20-61, section 3, Laws of Florida, amended section 26.012(1), Florida Statutes, and in chapter 20-61, section 8, repealed section 924.08, Florida Statutes, to remove circuit court jurisdiction over certain appeals of county court orders or judgments; and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

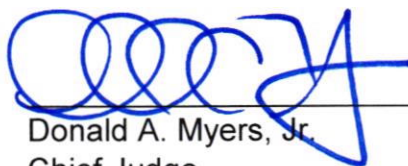
WHEREAS, the orderly transfer of cases requires coordination between the Ninth Judicial Circuit, the Clerks of Court for Orange and Osceola Counties, and the Fifth District Court of Appeal;

NOW THEREFORE, IT IS ORDERED that:

1. Attachment one to this order is a list of county court appeals, by county, that are pending as of November 30, 2020, and 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 Ninth Judicial Circuit in and for Orange and Osceola Counties, Florida, on January 1, 2021, are hereby transferred to the District Court of Appeal for the Fifth District.
 - 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 by the Florida Courts E-Filing Portal unless service is not available by the Florida Courts E-Filing Portal and in that case, by US mail.

- c. By no later than January 15, 2021, the Clerk of the Circuit Court for Orange County and the Clerk of the Circuit Court for Osceola County shall transfer via the Florida Courts E-Filing Portal all documents on the docket of each appellate case to the Clerk of the 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 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 transferred case are hereby deferred to the transferee District Court.
4. Any future filings by a party to an appellate case shall be submitted electronically to the Fifth 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 District Court of Appeal, Fifth District, at 300 South Beach Street, Daytona Beach, FL 32114.
5. 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 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 Orlando, Florida this 1st of December, 2020.



Donald A. Myers, Jr.
Chief Judge

ATTACHMENT ONE

ORANGE COUNTY

Pan Am Diagnostic Servs., Inc. v. State Farm Mutual Auto. Ins. Co.	2017-CV-61-A-O
Southern-Owners Ins. Co. v. Lab Quest & Family Chiropractic Assoc. Inc.	2017-CV-83-A-O
HFC Collection Center, Inc. v. Alexander	2018-CV-104-A-O
Direct Gen. Ins. Co. v. Moye	2018-CV-20-A-O
Geico Indemnity Co. v. Affinity Healthcare Ctr.	2018-CV-41-A-O
Geico Indemnity Co. v. V&T Inv. Partners	2018-CV-54-A-O
de Lamadrid v. Bowles Custom Pools	2018-CV-61-A-O
de Lamadrid v. Bowles Custom Pools	2018-CV-63-A-O
Geico Indemnity Co. v. Preziosi West/East Orlando Chiropractic Clinic LLC	2018-CV-64-A-O
Caslow v. Blue Cross & Blue Shield of Florida Inc.	2018-CV-67-A-O
Geico Gen. Ins. Co. v. Preziosi West/East Orlando Chiropractic Clinic LLC	2018-CV-69-A-O
Geico Gen. Ins. Co. v. Velocity Alternative Med. Consultants Inc.	2018-CV-82-A-O
Geico Gen. Ins. Co. v. Preziosi West/East Orlando Chiropractic Clinic LLC	2018-CV-83-A-O
Geico Indemnity Co. v. Ashley Park Chiropractic Ctr. LLC	2019-CV-1 -A-O
Geico Gen. Ins. Co. v. Hands on Chiropractic, PL	2019-CV-11-A-O
Geico Gen. Ins. Co. v. Preziosi West/East Orlando Chiropractic Clinic LLC	2019-CV-12 -A-O
Geico Indemnity Co. v. Health Plus Chiropractic, LLC	2019-CV-13-A-O
Little v. Simon	2019-CV-14-A-O
Dunn v. Saul	2019-CV-15-A-O
Geico Gen. Ins. Co. v. Shant Wellness LLC	2019-CV-16-A-O
Geico Indemnity Co. v. Health Plus Chiropractic, LLC	2019-CV-18-A-O
Geico Indemnity Co. v. Rose Healthcare Ctr. Inc.	2019-CV-21-A-O
Geico Gen. Ins. Co. v. Hands on Chiropractic, PL	2019-CV-23-A-O
Geico Gen. Ins. Co. v. Preziosi West/East Orlando Chiropractic Clinic LLC	2019-CV-25-A-O
Geico Gen. Ins. Co. v. Express Care of Belleview LLC	2019-CV-3-A-O
Geico Gen. Ins. Co. v. Edgewood Healthcare & Rehab Ctr., LLC	2019-CV-34-A-O
Century-Nat'l Ins. Co. v. Central Fla. Med. & Chiropractic Ctr. Inc.	2019-CV-36-A-O
Century-Nat'l Ins. Co. v. Arissonne	2019-CV-37-A-O
Gary v. Gregory	2019-CV-42-A-O
Century-Nat'l Ins. Co. v. Colonial Med. Ctr., Inc.	2019-CV-43-A-O
Torres v. Venetian Place Condo. Assoc., Inc.	2019-CV-45-A-O
Brown v. Ulliel	2019-CV-49-A-O
Gov't Emp. Ins. Co. v. Sacowi Medical Clinic, LLC	2019-CV-5-A-O
The Kidwell Group, LLC v. State Farm Fla. Ins. Co.	2019-CV-51-A-O
White v. Moore	2019-CV-57-A-O
McClellan v. Choy	2019-CV-64-A-O
Fla. Hosp. Med. Ctr. v. Geico Indemnity Co.	2019-CV-67-A-O
Century-Nat'l Ins. Co. v. Piecar Cmty. Health Care, LLC	2019-CV-70-A-O
Piecar Cmty. Health Care, LLC v. Geico Indemnity Co.	2019-CV-71-A-O
Demoura v. The Travelers Home & Marine Ins. Co.	2019-CV-74-A-O
Geico Indemnity Co. v. Rumley Family Chiropractic, PA	2019-CV-9-A-O
Depositors Ins. Co. v. Pasco-Pinellas Hillsborough Cmty. Health Sys.	2020-CV-10-A-O
HFC Collection Center, Inc. v. Alexander	2020-CV-12-A-O
Tangri v. Hawksnest at Metrowest Homeowners Assoc., Inc.	2020-CV-15-A-O

Sigma Funding Group, LLC v. Security First Ins. Co.	2020-CV-17-A-O
Ge v. Swearingen & Assoc., Inc.	2020-CV-18-A-O
RAK Law PLLC v. Constellation Towing & Recovery	2020-CV-2-A-O
The Kidwell Grp., LLC v. The First Liberty Ins. Corp.	2020-CV-20-A-O
Titan Wellness Ctr. Of Ft. Myers, LLC v. Allstate Fire & Cas. Ins. Co.	2020-CV-21-A-O
Auto Glass Am., LLC v. Allstate Fire & Cas. Ins. Co.	2020-CV-27-A-O
Auto Glass Am., LLC v. Allstate Ins. Co.	2020-CV-28-A-O
Titan Wellness Ctr. Of Ft. Myers, LLC v. Allstate Fire & Cas. Ins. Co.	2020-CV-30-A-O
Florida Hosp. Med. Ctr. v. Progressive Select Ins. Co.	2020-CV-32-A-O
Prestige Constr. of Fla., LLC v. JS Flooring Servs., LLC	2020-CV-34-A-O
Miller v. State Farm Auto. Ins. Co.	2020-CV-38-A-O
All Ins. Restoration Servs. Inc. v. People's Trust Ins. Co.	2020-CV-39-A-O
Fenwick v. Solomon	2020-CV-40-A-O
Rayess v. Bitar	2020-CV-41-A-O
Beacon Park Phase II Homeowners Assoc., Inc. v. Eagle Vista Equities, LLC	2020-CV-42-A-O
Top Care Chiropractic & Rehab. Ctr., Inc. v. The Travelers Indemnity Co. of Am.	2020-CV-45-A-O
Hynes-Partlow v. Delatorre	2020-CV-47-A-O
Niranjan v. Forerunner Ins. Grp., Inc.	2020-CV-48-A-O

State v. Long	2019-AP-14-A-O
Frederique v. State	2019-AP-24-A-O
Logan v. State	2019-AP-3-A-O
Wynn v. State	2019-AP-5-A-O
Motley v. State	2019-AP-7-A-O
State v. Jacobs	2020-AP-1-A-O
State v. Figueroa	2020-AP-2-A-O
State v. Bohn	2020-AP-3-A-O
Jackson v. State	2020-AP-4-A-O
Lamothe v. State	2020-AP-6-A-O
Montalvo v. State	2020-AP-7-A-O
Prophete v. State	2020-AP-8-A-O
State v. Low	2020-AP-9-A-O

OSCEOLA COUNTY

Doll v. Rivera	2018 AP 2
Epic Delights Bakery, LLC v. Oldtown Kissimmee, Ltd.	2018 AP 20
Arias v. Windhaven Ins. Co.	2018 AP 31
Arias v. Windhaven Ins. Co.	2018 AP 32
Durojaiye v. Hydroflo, LLC	2019 AP 14
Rodriguez v. Rosa	2019 AP 2
Rhody v. Veeco Instruments Inc.	2019 AP 22
Rivera v. Rondeau	2019 AP 23
Plummer v. Wang	2019 AP 24
Reynolds v. Avatar Prop. & Cas. Ins. Co.	2019 AP 25
Univ. Prop. & Cas. Ins. Co. v. Power Roofing & Constr., LLC	2019 AP 28
Univ. Prop. & Cas. Ins. Co. v. Power Roofing & Constr., LLC	2019 AP 29
Century Nat'l Ins. Co. v. Olivera	2019 AP 32

Burns v. Zhai	2019 AP 33
DC Capital Law Firm, LLP v. Westgate Vacation Villas	2020 AP 10
Bemah-Stokes v. Francoise Et Chris, LLC	2020 AP 14
Beierschmitt v. Gitli	2020 AP 5
Beierschmitt v. Gitli	2020 AP 8
Serrano v. State	2018 AP 5
Coen v. State	2019 AP 19
Franklin v. State	2020 AP 2
Beecher v. State	2020 AP 3
Villanueva-Garcia v. State	2020 AP 4
Mondazze v. State	2020 AP 9

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)