

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

**AMENDED ADMINISTRATIVE ORDER 2020-28-02**

**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20-61, section 3, Laws of Florida, amended section 26.012(1), Florida Statutes, and in chapter 20-61, section 8, repealed section 924.08, Florida Statutes, to remove circuit court jurisdiction over certain appeals of county court orders or judgments; and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 amended administrative order is an updated list of county court appeals, by county, that are affected by the jurisdictional change and omitting cases that were disposed of prior to January 1, 2021, and including cases that were filed after November 30, 2020, and not disposed of prior to January 1, 2021.
2. 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 29, 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.

3. 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.
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 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.
5. Administrative Order 2020-28-01 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

DONE AND ORDERED in Orlando, Florida this 11<sup>th</sup> of January, 2021.



---

Donald A. Myers, Jr.  
Chief Judge

## ATTACHMENT ONE

### ORANGE COUNTY

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
Caslow v. Blue Cross & Blue Shield of Florida Inc.	2018-CV-67-A-O
Century-Nat'l Ins. Co. v. Central Fla. Med. & Chiropractic Ctr. Inc.	2019-CV-36-A-O
Brown v. Ulliel	2019-CV-49-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
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
Depositors Ins. Co. v. Pasco-Pinellas Hillsborough Cmty. Health Sys.	2020-CV-10-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
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
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
Beierschmitt v. Gitli	2020-CV-52-A-O
Gonzalez v. TRSTE, LLC	2020-CV-53-A-O
Rapid Auto Glass, Inc. v. Safeco Insurance Co.	2020-CV-54-A-O
Lamothe v. State	2020-AP-6-A-O
State v. Abache	2020-AP-10-A-O
Degradis v. State	2020-AP-11-A-O
Cotto v. State	2020-CA-10328-O
Geico Gen. Ins. Co. v. Phoenix Emergency Medicine	2020-CA-10690-O
Auto Injury Solutions v. Florida Hospital	2020-CA-11334-O
Geico Gen. Ins. Co. v. Leesburg Regional Med. Ctr.	2020-CA-11833-O
Geico Gen. Ins. Co. v. Phoenix Emergency Medicine	2020-CA-7723-O
Geico Indem. Co. v. Phoenix Emergency Medicine	2020-CA-8444-O
Geico Indem. Co. v. Phoenix Emergency Medicine	2020-CA-9306-O
Geico Gen. Ins. Co. v. Ownorth PL	2020-CA-9964-O
Progressive Select Ins. Co. v. Premier Promotions USA, Inc.	2020-CA-12693-O

**OSCEOLA COUNTY**

Arias v. Windhaven Ins. Co.	2018 AP 31
Arias v. Windhaven Ins. Co.	2018 AP 32
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. Françoise Et Chris, LLC	2020 AP 14
Beierschmitt v. Gitli	2020 AP 5
Beierschmitt v. Gitli	2020 AP 8
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)