

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2004-038 PA/PI-CIR

RE: CIRCUIT COURT APPELLATE PROCEDURES

In order to establish procedures for handling appeals to the Appellate Division of the Circuit Court, in accordance with the Sixth Judicial Circuit Local Rules, Rule 1(A)1., and in an effort to promote uniformity of appellate decisions and to enhance judicial efficiency involving appeals to the Circuit Court, it is hereby

ORDERED:

1. All civil and criminal appeals invoking the appellate jurisdiction of the Circuit Court pursuant to the Florida Rules of Appellate Procedure, Rule 9.030(c), including appeals from County Court, petitions to review administrative action, and all other petitions seeking extraordinary writs necessary to the complete exercise of the Circuit Court's appellate jurisdiction, shall be heard by three-judge panels.

2. There shall be three separate three-judge panels within the Appellate Division that hear both criminal and civil appeals:

- a. the North Pinellas County Appellate Panel shall consider all civil and criminal appeals assigned to the three-judge panel sitting in Clearwater;
- b. the South Pinellas County Appellate Panel shall consider all civil and criminal appeals assigned to the three-judge panel sitting in St. Petersburg; and,
- c. the Pasco County Appellate Panel shall consider all civil and criminal appeals assigned to the three-judge panel sitting in New Port Richey.

3. Each three-judge appellate panel shall have a Primary Appellate Judge assigned by the Chief Judge. The Primary Appellate Judge shall hear all motions filed in every appeal assigned to his or her panel.

4. The Clerk of Court for each county shall assign appellate cases as follows:

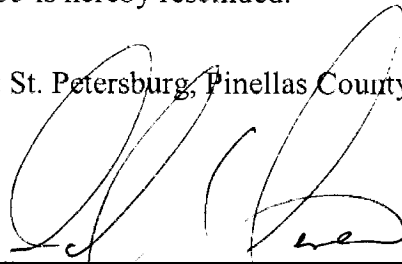
- a. the Clerk of Court for Pinellas County shall assign cases by alternating between the two, three-judge panels assigned to the Appellate Division, one sitting in Clearwater and the other in St. Petersburg.
- b. the Clerk of Court for Pasco County shall assign cases to the three-judge panel assigned to the Appellate Division sitting in New Port Richey.

5. It shall be the responsibility of each party to an appellate proceeding, whether represented by counsel or pro se, to file an original and four (4) copies of each brief with the Clerk of Court. All briefs should be securely stapled with one staple in the upper left-hand corner.

This Order shall take effect on July 15, 2004, and shall apply to all appeals and petitions filed on or after that date. All civil appeals currently pending at the time this Order takes effect shall be heard by the single appellate judge already assigned to that appeal. The current criminal appellate three-judge panels will hear both civil and criminal appeals until December 31, 2004.

Administrative Order No. PA/PI-CIR-00-35 is hereby rescinded.

14th **DONE AND ORDERED** in Chambers at St. Petersburg, Pinellas County, Florida this
day of July 2004.



David A. Demers, Chief Judge

cc: All Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Robert H. Dillinger, Public Defender
The Honorable Karleen F. DeBlaker, Clerk of Court, Pinellas County
The Honorable Jed Pittman, Clerk of Court, Pasco County
Carol Heath, Director, Court Services Division, Pinellas County Clerk's Office
Gay Inskeep, Trial Courts Administrator
Kerry L. Rice, Senior Deputy Courts Administrator, Pasco County
DeRita Barbary, Criminal Administration
Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties