

# Supreme Court of Florida

WEDNESDAY, APRIL 3, 2002

CASE NO.: SC02-439

TIMOTHY E. WHITE

vs. STATE OF FLORIDA

---

Petitioner(s)

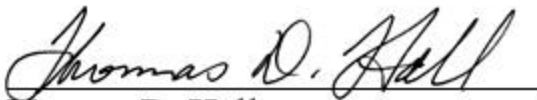
Respondent(s)

## ORDER TRANSFERRING PETITION

The petitioner has filed a "Petition for Order of Venue" which has been treated as petition for writ of mandamus. This Court has determined that it should decline to take jurisdiction over the instant petition for writ of mandamus. See Harvard v. Singletary, 733 So. 2d 1020 (Fla. 1999). Since the First District Court of Appeal appears to have concurrent jurisdiction in this case, it is ordered pursuant to rule 9.040(b) of the Florida Rules of Appellate Procedure that this case and any pending motions are hereby transferred to that court as of this date. The transferee court shall treat the petition as if it had been originally filed there on the date it was filed in this Court. The transfer of this case is not an adjudication or comment on the merits of the petition, nor is it a determination as to the transferee court's jurisdiction or whether the petition has been properly denominated as a petition for writ of mandamus. If it is determined that a filing fee is applicable to this petition, and if petitioner wishes to proceed in forma pauperis in the transferee court, an affidavit of indigency and accompanying documentation shall be filed by petitioner in the transferee court, or as ordered by the transferee court.

A True Copy

Test:



Thomas D. Hall  
Clerk, Supreme Court



bh

Served:

HON. JON S. WHEELER, CLERK  
TIMOTHY E. WHITE  
HON. ROBERT A. BUTTERWORTH