

Supreme Court of Florida

MONDAY, JULY 19, 2004

CASE NO.: SC04-353

Lower Tribunal No.: 2003-MM-28113A

KERRY D. JOHNSON

vs. STATE OF FLORIDA

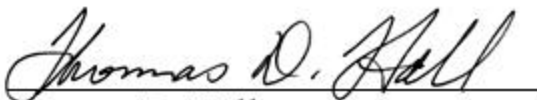
Petitioner(s)

Respondent(s)

The petition for writ of habeas corpus is hereby transferred, pursuant to Harvard v. Singletary, 733 So. 2d 1020 (Fla. 1999), to the Circuit Court of the First Judicial Circuit in and for Escambia County, Florida. The transfer of this case should not be construed as an adjudication or comment on the merits of the petition, nor as a determination that the transferee court has jurisdiction or that the petition has been properly denominated as a petition for writ of habeas corpus. The transferee court should not interpret the transfer of this case as an indication that it must or should reach the merits of the petition. The transferee court shall treat the petition as if it had been originally filed there on the date it was filed in this Court and is instructed to expedite consideration of the petition as it appears to be **time sensitive** based upon the allegations. Any determination concerning whether a filing fee shall be applicable to this case shall be made by the transferee court. Any and all pending motions in this case are hereby deferred to the transferee court.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



mc

Served:

HON. KIM A. SKIEVASKI, CHIEF JUDGE

KERRY D. JOHNSON

HON. CHARLES J. CRIST, JR.

HON. ERNIE LEE MAGAHA, CLERK