

Supreme Court of Florida

MONDAY, JULY 19, 2004

CASE NO.: SC04-538

Lower Tribunal No.: 2003-CA-621

MILTON MCFARLANE

vs. STATE OF FLORIDA

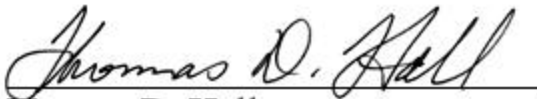
Appellant(s)

Appellee(s)

Appellant has submitted a pleading entitled "Motion for 8th Judicial Circuit Error," which this Court has treated as a Notice of Appeal from an order of the Eighth Judicial Circuit, in and for Bradford County, Florida, dismissing a petition originally filed by appellant in this Court and transferred to the referenced circuit court in McFarlane v. State, Case No. SC03-1711. Having determined that the issues involved in this appeal appear to be within the jurisdiction of the First District Court of Appeal, this case is hereby transferred to that court. The transferee court shall treat the notice as if it had been originally filed there on the date it was filed in this Court. Any determination concerning the timeliness of this appeal shall be made by the transferee court. 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:

MILTON MCFARLANE
HON. CHARLES J. CRIST, JR.
HON. ELZIE S. SANDERS, JUDGE
HON. RAY NORMAN, CLERK
HON. JON S. WHEELER, CLERK