

Supreme Court of Florida

TUESDAY, JANUARY 4, 2011

CASE NO.: SC10-2109

Lower Tribunal No(s): 06-023248

DAVEL ROSS

vs. EDWIN G. BUSS, ETC.

Petitioner(s)

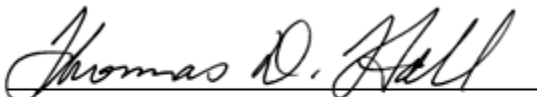
Respondent(s)

The petition for writ of habeas corpus is hereby transferred to the Second District Court of Appeal, for consideration in the context of Ross v. State, Case No. 2D10-5094. 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. 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.

Any future pleadings filed regarding this case should be filed in the above mentioned district court at 1005 East Memorial Boulevard, Lakeland, Florida 33802.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



jn

Served:

DAVEL M. ROSS

KATHLEEN MARIE VON HOENE

HON. KEN BURKE, CLERK

HON. JAMES BIRKHOLO, CLERK