

Supreme Court of Florida

WEDNESDAY, MAY 18, 2011

CASE NO.: SC11-928

Lower Tribunal No(s): 2010CF000294A

SANTOYA WITHERSPOON

vs. DAVID MORGAN, SHERIFF

Petitioner(s)

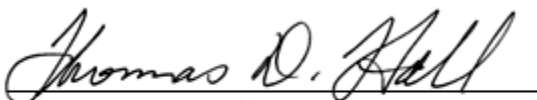
Respondent(s)

Petitioner has submitted a letter, which this Court has treated as a petition for writ of habeas corpus. The petition is hereby transferred to the Circuit Court of the First Judicial Circuit in and for Escambia County, Florida (Case No. 2010-CF-000294-A), for consideration as a motion for postconviction relief filed pursuant to either Florida Rule of Criminal Procedure 3.850 or 3.800(a). 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 should be considered as a motion for postconviction relief. 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 circuit court at Attn: Appeals Division, Post Office Box 333, Pensacola, Florida 32592-0333.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



jn

Served:

SANTOYA WITHERSPOON

DAVID MORGAN, SHERIFF

HON. ERNIE LEE MAGAHA, CLERK