

Supreme Court of Florida

TUESDAY, MAY 26, 2009

CASE NO.: SC09-795

Lower Tribunal No(s): 06-CF-4877-A1

KELVIN D. BROWN

vs. WALTER A. MCNEIL, ETC.

Petitioner(s)

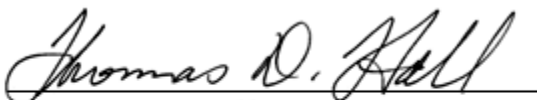
Respondent(s)

The petition for writ of habeas corpus is hereby transferred to the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida (Case No. 06-CF-4877-A1), 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 301 South Monroe Street, Tallahassee, Florida 32301.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



bm

Served:

KELVIN D. BROWN

KATHLEEN VON HOENE

HON. BOB INZER, CLERK