

Supreme Court of Florida

MONDAY, MAY 11, 2009

CASE NO.: SC09-455

Lower Tribunal No(s): 98-0784CFA

XTERPHER XAVIER MCBRIDE vs. STATE OF FLORIDA

Petitioner(s)

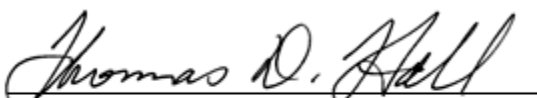
Respondent(s)

The petition for writ of mandamus is hereby transferred, pursuant to Harvard v. Singletary, 733 So. 2d 1020 (Fla. 1999), to the First District Court of Appeal. 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 mandamus. 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 301 South Martin Luther King, Jr., Boulevard, Tallahassee, Florida 32399.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



bm

Served:

HON. JON S. WHEELER, CLERK

XTERPHER XAVIER MCBRIDE

HON. BILL MCCOLLUM

HON. MARY JOHNSON, CLERK