

DISTRICT COURT OF APPEAL, FIRST DISTRICT

Tallahassee, FL 32399-1850  
Telephone (850) 488-6151

Date: April 13, 2009

Administrative Order 09-1

BY ORDER OF THE COURT:

With an objective of minimizing delays in the processing of criminal direct appeals, collateral appeals, and writ petitions in this Court, the Attorney General, the Public Defender for the Second Judicial Circuit, and the Regional Conflict Counsel jointly recommended a number of measures designed to streamline the processing of these appeals and petitions. After review of these recommendations, the following procedures are adopted:

**Inclusion of Exhibits in Record on Appeal**

All documentary, video, and audio exhibits introduced into evidence during criminal trials, motion hearings, and sentencing hearings shall be included with the certified copy of the record on appeal provided to this Court, unless counsel for the Appellant directs that these exhibits shall be excluded. Further, photocopies of documentary evidence, including photographs, shall be included with the parties' copies of records on appeal, including supplemental records when applicable.

**Transcripts for Indigent Defendants**

In all criminal appeals in which the Circuit Court has declared the defendant indigent for purposes of appeal, an order from this Court directing supplementation of the record shall be sufficient to compel the court reporter to provide a transcript to the Circuit Court Clerk within the time period for supplementation specified in this Court's order. No separate order by the Circuit Court to transcribe proceedings shall be required.

**Public Defender Appeals from Nolo Contendre or Guilty Pleas Without Reservation of an Appealable Issue**

When the Second Circuit Public Defender has been designated to handle an appeal to this Court from a conviction or probation revocation arising from a plea of guilty or nolo contendere reserving no issues for appeal and resulting in what appears to be a legal sentence, the Public Defender may file a "Notice of Case Diversion" in this Court, which shall stay the appellate proceedings for 60 days from the date of the designation. If no

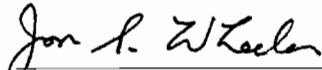
initial brief or notice of voluntary dismissal is filed within this 60 day period, the stay is automatically lifted and briefing shall proceed under Florida Rule of Appellate Procedure 9.140(g). However, no further extensions will be granted for the initial brief except in case of emergency.

Witness the Honorable Paul M. Hawkes, Chief Judge of the District Court of Appeal, First District, and the Seal of said Court, at Tallahassee, Florida, this 13th Day of April, 2009.



Paul M. Hawkes, Chief Judge

I HEREBY CERTIFY that the foregoing is (a true copy of ) the original court order.



Jon S. Wheeler, Clerk



Copies: Chief Justice Peggy Quince, Florida Supreme Court  
Florida First District Court of Appeal Judges  
Chief Judges of the 1st, 2nd, 3rd, 4th, 8th, and 14th Judicial Circuits  
Lisa Goodner, Florida State Courts Administrator  
Each Clerk of Court for the Circuit and County Courts in the 1st, 2nd, 3rd, 4th, 8th, and 14th Judicial Circuits  
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