

FIFTH DISTRICT COURT OF APPEAL, STATE OF FLORIDA
300 South Beach Street, Daytona Beach, FL 32114
April 27, 2015

**ADMINISTRATIVE ORDER RE ELECTRONIC FILING OF NOTICES OF APPEAL
BY LOWER TRIBUNAL CLERKS AND PAPERS AND MOTIONS
BY COURT REPORTER**

AO5D12-2 (AMENDED)¹

Pursuant to Florida Rule of Appellate Procedure 9.040(f), the clerk is required to transmit a certified copy of the notice of appeal (showing the date filing) along with the fee and order being appealed (if available) to this Court.

1) Effective October 1, 2012, the lower court, lower tribunal, and state agency clerks within the jurisdiction of the Fifth District Court of Appeal shall submit electronic copies of such notices of appeal to the Court via eDCA in accordance with the procedures outlined below.

A. All lower court, lower tribunal and state agency clerks must register with eDCA prior to electronically filing a certified notice of appeal. Registration instructions may be found on the Court's website. Each clerk's office should only complete one registration and all notices of appeal filed electronically through eDCA must be filed using the clerk's registration.

B. The electronic notice of appeal shall contain either scanned or electronic certification and must clearly reflect the date of filing below.

C. A notice of appeal will not be accepted by this Court unless it is accompanied by a completed copy of the Fifth District Court of Appeal's "Notice of Appeal Transmittal Form," a blank copy of which is attached to this order *and* any order being appealed that was filed with the notice of appeal. The Notice of Appeal Transmittal Form and the order being appealed must each be transmitted as a separate document.

D. Any required appellate filing fees should be sent separately until such time as the Court authorizes electronic payment of the filing fees.

E. If the notice of appeal is required to be filed with a record on appeal, such as in a summary Florida Rule of Criminal Procedure 3.800/3.850/3.853 case, the record on appeal shall be electronically transmitted separately through the Court's FTP procedures and contemporaneously with the electronic filing of the notice of appeal through eDCA.

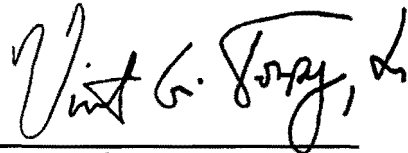
2) Court reporters wishing to file any papers or motions with this Court (including acknowledgments and requests for extensions of time to prepare transcripts) are required to register with eDCA and file any such papers or motions with the Court electronically via eDCA. Registration instructions may be found on the Court's website. Each court reporter's office should

¹ This Administrative Order was originally entered on August 2, 2012, and is hereby amended on April 27, 2015.

only complete one registration and all documents filed electronically through eDCA must be filed using the court reporter's registration.


3) This Order supersedes Administrative Order AO5D12-02 dated August 2, 2012.

DONE AND ORDERED at Daytona Beach, Florida on April 27, 2015.

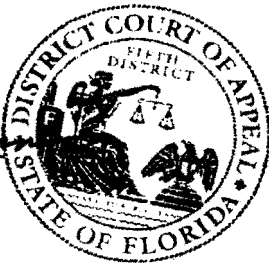


Vincent G. Torpy, Jr.
Chief Judge

ATTEST:



Joanne P. Simmons
Clerk of the Court



Copies to:

Hon. Scott Ellis, Brevard County Clerk of Court
Hon. Angela Vicks, Citrus County Clerk of Court
Hon. Gail Wadsworth, Flagler County Clerk of Court
Hon. Don Barbee, Hernando County Clerk of Court
Hon. Neil Kelly, Lake County Clerk of Court
Hon. David R. Ellspermann, Marion County Clerk of Court
Hon. Tiffany Moore Russell, Orange County Clerk of Court
Hon. Armando Ramirez, Osceola County Clerk of Court
Hon. Tim Smith, Putnam County Clerk of Court
Hon. Cheryl Strickland, St Johns County Clerk of Court
Hon. Maryanne Morse, Seminole County Clerk of Court
Hon. Gloria Hayward, Sumter County Clerk of Court
Hon. Diane Matousek, Volusia County Clerk of Court
Trail Court Administrators - David Trammell, Fifth Circuit;
Mark Weinberg, Seventh Circuit; Matthew Benefiel, Ninth
Circuit; Mark Van Bever, Eighteenth Circuit
Fifth District Court of Appeal Judges



DISTRICT COURT OF APPEAL, FIFTH DISTRICT
300 S. Beach Street
Daytona Beach, Florida 32114

NOTICE OF APPEAL TRANSMITTAL FORM

(TO BE COMPLETED BY LOWER COURT, LOWER TRIBUNAL, OR STATE AGENCY CLERKS OR DEPUTY CLERKS AND SUBMITTED ELECTRONICALLY CONTEMPORANEOUSLY WITH AND IN A SEPARATE FILING FROM THE CERTIFIED ELECTRONIC NOTICE OF APPEAL)

Lower Court/Tribunal/State Agency:

Appellant

v.

L.T. Case No. : _____

Appellee

hereby certify the following (mark as applicable):

A notice of appeal was filed in this court/tribunal/stage agency on _____(date). A certified electronic copy of the notice of appeal has been electronically filed with the 5th DCA's electronic portal eDCA.

The copy of the order being appealed filed with this notice of appeal is being electronically filed through eDCA along with the certified notice of appeal, as a separate document.

All appellate filing fees tendered with the notice of appeal will be immediately separately forwarded to the 5th DCA.

The filing fee in this case is waived as the appellant was found to be insolvent. An electronic copy of the insolvency order has been electronically filed in a separate document through eDCA contemporaneously with the certified notice of appeal.

No appellate filing fee in this case has been tendered to the lower court/tribunal/ state agency.

This is a case (such as a summary rule 3.800/3.850/3.853) in which the record on appeal is required to be filed with the 5th DCA at the same time as electronically filing the certified notice of appeal. A certified electronic copy of the record on appeal will immediately be or has already been electronically filed using the 5th DCA's FTP procedures.

A motion postponing rendition pursuant to Florida Rule of Appellate Procedure 9.020(i)___ is or ___is NOT pending in the lower tribunal.

Lower Court / Tribunal/State Agency Clerk
Address
Telephone Number
Email Address

Deputy Clerk