

DISTRICT COURT OF APPEAL, FIFTH DISTRICT
STATE OF FLORIDA

NOTICE

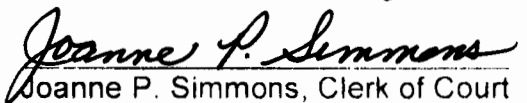
Informing the Appellate Court of Pending Motions Postponing Rendition at time of Filing the Notice of Appeal

April 10, 2015

Effective January 1, 2015, Florida Rule of Appellate Procedure 9.020(i)(3) has been amended to eliminate the abandonment of motions authorized pursuant to rule 9.020(l) by the filing of a notice of appeal. Rendition of a final order will be delayed by the filing or service of a timely and authorized motion and the filing of a notice of appeal will not result in the abandonment of such a motion but rather the appeal shall be held in abeyance until the filing of a signed, written order disposing of the motion.

Attorneys and parties filing a notice of appeal should immediately inform the court by the filing of a proper notice if a motion postponing rendition is pending so that the case may properly be held in abeyance. Likewise, the attorneys or parties in the case should inform the court by notice upon the lower tribunal disposition of such motions by filing a copy of the lower tribunal's signed, written order disposing of the motion.

Lower court clerks, lower tribunal clerks, and agency clerks are now required to complete a new section of the electronic transmittal form submitted when e-filing notices of appeal to this court which must indicate whether or not a motion postponing rendition is pending in the case below. Clerks must mark this section of the form or the notice of appeal may be rejected until such time as the transmittal form is properly completed.


Joanne P. Simmons, Clerk of Court
Fifth District Court of Appeal
State of Florida