

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

May 08, 2019

CASE NO.: 2D19-1247

L.T. No.: 18-AP-3,
18-AP-9

SCOTT HUMINSKI

v. STATE OF FLORIDA

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

The petition for writ of prohibition and in the alternative for writ of mandamus is granted. As this court concludes that it has jurisdiction over the appeal of case 17-MM-815, the Appellate Division of the Twentieth Judicial Circuit Court for Lee County shall immediately transfer the appeal of that case to this court. Although it appears that a given court must address its own contempt cases, § 38.22, Fla. Stat. (2018) ("Every court may punish contempts against it" (emphasis added)), we additionally rely on the series of administrative orders issued by the Chief Judge of the Twentieth Judicial Circuit appointing all county judges as acting circuit judges, beginning with the order signed on December 2 and filed on December 5, 2016, in Book 60, Page 124 of the clerk's records, such that the disposition order in case 17-MM-815 may be considered an order of the circuit court. See also Fla. R. Jud. Admin. 2.515(b)(4); Wild v. Dozier, 672 So. 2d 16, 20 (Fla. 1996); State ex rel. Treadwell v. Hall, 274 So. 2d 537, 539 (Fla. 1973); see also § 38.22, Fla. Stat. (2018).

NORTHCUTT, VILLANTI, and KHOUZAM, JJ., Concur.

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

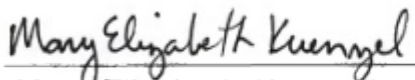
Served:

Attorney General, Tampa
Hon. Elizabeth V. Krier

Katherine Coombs Cline,
A.A.G.
Linda Doggett, Clerk

Anthony M. Candela,
Esq.

td


Mary Elizabeth Kuenzel
Clerk

