

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY

ADMINISTRATIVE ORDER NO. 7.301-12/10\*

IN RE: FILING OF POST CONVICTION MOTIONS

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A uniform procedure should govern the assignment of post conviction motions.

**NOW, THEREFORE**, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. Upon the filing of any post conviction motion, the Clerk and Comptroller's Office shall reopen the criminal case file and assign the post conviction motion to the division which handled the substantive criminal case.
2. All post conviction motions filed with the Clerk and Comptroller's office shall be docketed with a "POST" designator.
3. The felony files shall then be transferred by the Clerk and Comptroller to the office of General Counsel, Administrative Office of the Court.
4. The General Counsel, or designee, shall determine what other related motions have been filed and have been previously addressed or are still pending in either the civil or criminal division post sentencing date and provide such information to the circuit criminal judge.
5. The General Counsel, or designee, shall make a preliminary recommendation to the circuit criminal judge as to the true nature of the motion.
6. A pleading that is deemed to be a writ shall be transferred to the circuit civil division and given a civil case number. A circuit civil judge will handle the pleading in accordance with Administrative Order 7.201 9/08 (as amended).
7. All other motions shall be assigned to the original sentencing court for disposition.

8. When a State's response is required, the State Attorney's Office shall also email an electronic copy of the response to [pcmotions@pbcgov.org](mailto:pcmotions@pbcgov.org).
9. **When the Office of the State Attorney files a motion or other pleading seeking an extension of time to a trial court's order directing the State to Respond to the Motion for Post Conviction Relief, the State shall include the following information which information shall be bolded:**
  - a. **Date Post Conviction Motion was filed;**
  - b. **Date(s) of prior requests for extension(s) of time to file response;**
  - c. **Amount of additional time granted for each request for extension of time;**
  - d. **Detailed reason why the additional time is needed.**

**DONE and SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida this 20 day of December, 2010.



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Peter D. Blanc  
Chief Judge

\* supersedes admin. order 7.301-7/09