

**IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT  
IN AND FOR POLK COUNTY**

**ADMINISTRATIVE ORDER 2-38.2**

**IN RE: ASSIGNMENT OF MOTIONS FILED PURSUANT  
TO RULES 3.800, 3.850, AND 3.851, FLA R. CRIM. P.**

WHEREAS, the judges of the Felony Division have determined that there should be a set policy for the assignment and handling of motions filed pursuant to Rules 3.800, 3.850, and 3.851, Fla. R. Crim. P., it is accordingly

ORDERED AND ADJUDGED as follows:

- 1) Those cases where the defendant was convicted of first degree murder and sentenced to death shall be assigned by the Chief Judge of the Tenth Judicial Circuit to a judge qualified to handle capital cases.
- 2) All other cases, with the exception of those covered by (3) below, shall remain assigned to their original division and be handled by the judge who then sits in that division, whether that judge was the original presiding judge or not.
- 3) On occasion, and at the determination of the administrative judge of the Felony Division, cases which are especially complex may be reassigned back to the original presiding judge or to the judge in the Felony Division who would be able to most efficiently handle the case.
- 4) This Order revokes and supersedes Administrative Order No. 2-38.1.

DONE AND ORDERED on this 1st day of June, 2010.

J. DAVID LANGFORD, Chief Judge