

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR POLK COUNTY, FLORIDA**

**SPECIAL ORDER**

**IN RE: TRANSFER OF FELONY CASES**

WHEREAS, the judges of the Polk County Felony Division have evaluated the needs of the Felony Division and have determined that the Court has a need for a Felony Violation of Probation Division; and

WHEREAS, the Court has determined that Felony Division F7 will be the Felony Violation of Probation Division; and

WHEREAS, it is necessary to transfer felony violation of probation (“FVOP”) cases from Felony Divisions F1 through F6 to Division F7; and

WHEREAS, it is necessary to transfer non-FVOP cases from Division F7 to Felony Divisions F1 through F6; and

WHEREAS, in accordance with the authority vested in the Chief Judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2);

NOW, THEREFORE, it is ORDERED that:

1. Transfer of Cases to Division F7: Prior to November 22, 2023, any technical FVOPs (cases that are without a new Polk County felony violation of law charge) in a VOP case status shall be transferred by the Polk County Clerk of the Circuit Court (“Clerk”) from Felony Divisions F1 through F6 to Felony Division F7.
2. Transfer of Cases from Division F7: Prior to November 22, 2023, all open, re-opened, and closed substantive FVOP (cases that include a new Polk County felony law charge) and non-FVOP cases shall be transferred from Division F7 to Divisions F1 through F6 by random assignment in order to accomplish, to the extent possible, an equal distribution of such cases between the six divisions. If the defendant has multiple open cases, the cases shall be transferred to the same division. If a defendant has open and

closed cases, the closed cases shall be transferred to the same division as the open case(s).

3. Trials/Hearings: If a transferred case has a trial/hearing scheduled to occur after the date of transfer, but before January 4, 2024, the trial/hearing shall take place as scheduled before the previously assigned judge. Any trial/hearings set to occur on or after January 4, 2024, must be scheduled on the newly assigned division's docket.
4. Effective Date: This Administrative Order is effective upon signing.

**DONE AND ORDERED** on this 16th day of November, 2023.

s/JAMES A. YANCEY, Chief Judge

Original: Polk County Clerk of the Circuit Court

Copies:

All Judges

Polk County Clerk of the Circuit Court

Office of the State Attorney

Office of the Public Defender

Office of Criminal Conflict and Civil Regional Counsel, Second District

Electronic Bar Mailing