

Supreme Court of Florida

THURSDAY, NOVEMBER 15, 2012

CASE NO.: SC12-2149

Lower Tribunal No(s): 120015-EI

CITIZENS OF THE STATE OF
FLORIDA, ETC.

vs. RONALD A. BRISE, ETC.

Petitioner(s)

Respondent(s)

Petitioner has filed a "Petition for Writ of Quo Warranto or, in the Alternative, Constitutional Writ Under the 'All Writs' Provision of the Constitution of the State of Florida," that has been treated in this Court as a petition for a writ of quo warranto. To the extent that the petition raises an issue with regard to the necessary and appropriate parties to the settlement agreement with Florida Power and Light Company, the petition is hereby transferred to the First District Court of Appeal. To the extent that the petition raises other issues, it is hereby dismissed without prejudice to petitioner raising such issues on review in this Court of the final agency action.

To the extent that the petition is transferred, the transfer should not be construed as an adjudication or comment on the merits of the petition, nor as a determination that the transferee court has jurisdiction or that the petition has been properly denominated as a petition for writ of quo warranto. The transferee court should not interpret the transfer of this case as an indication that it must or should reach the merits of the petition. The transferee court shall treat the petition as if it had been originally filed there on the date it was filed in this Court and is instructed to expedite consideration of the petition as it appears to be **time-sensitive** based upon the allegations. Any determination concerning whether a filing fee shall be applicable to this case shall be made by the transferee court. Any and all pending motions in this case are hereby deferred to the transferee court.

Any future pleadings filed regarding this case should be filed in the above mentioned district court at 2000 Drayton Drive, Tallahassee, Florida 32399.

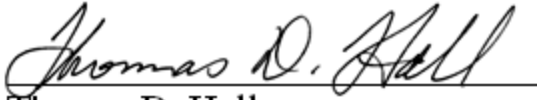
POLSTON, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, LABARGA, and PERRY, JJ., concur.

Case No. SC12-2149

Page 2

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



kb

Served:

KEN HOFFMAN
JOHN W. HENDRICKS
QUANG HA
JASON DICKSTEIN
ROBERT SCHEFFEL WRIGHT
JON CAMERON MOYLE, JR.
JOHN THOMAS LAVIA, III
VICKI GORDON KAUFMAN
BRIAN P. ARMSTRONG
PAUL WOODS
LINDA QUICK
KENNETH L. WISEMAN
R. WADE LITCHFIELD
JOHN T. BUTLER
HON. JON S. WHEELER, CLERK
KAREN S. WHITE
WILLIAM CLARK GARNER
THOMAS SAPORITO
J. MARTIN HAYES
MARK F. SUNBACK
J. PETER RIPLEY
JOSEPH ALLAN MCGLOTHLIN
CHARLES JOHN REHWINKEL
PATRICIA ANN CHRISTENSEN
CAROLINE MARSH KLANCKE
KEINO YOUNG