

Supreme Court of Florida

THURSDAY, NOVEMBER 5, 2009

CASE NO.: SC08-1213

Lower Tribunal No(s): CF81-112A1-XX

PAUL BEASLEY JOHNSON

vs. STATE OF FLORIDA

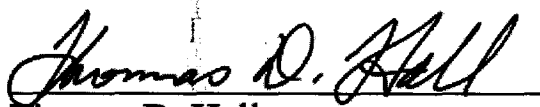
Appellant(s)

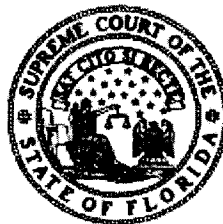
Appellee(s)

Appellee's Motion to Extend Order Granting Jurisdiction to Circuit Court or Motion to Relinquish Jurisdiction is hereby granted to the extent provided herein. Pursuant to the Court's order of October 8, 2009, addressing the trial court's jurisdiction in this cause, and in light of the Court's order of October 28, 2009, granting Appellant's application for stay of execution, the trial court has jurisdiction to consider Appellant's pending successive motion for postconviction relief filed pursuant to Florida Rule of Criminal Procedure 3.851. All proceedings pending in the trial court with respect to this motion shall be completed within sixty days from the date of this order. Counsel for the parties are hereby directed to file Status Reports with this Court every thirty days concerning the progress of the pending Rule 3.851 motion below.

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

A True Copy
Test:


Thomas D. Hall
Clerk, Supreme Court



th
Served:

HON. WILLIAM P. CERVONE
MARTIN J. MCCLAIN
CANDANCE SABELLA
HON. NEIL A. RODDENBERY, JUDGE

TERRI LYNN BACKHUS
KATHERINE V. BLANCO
HON. RICHARD M. WEISS, CLERK