

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

JOHN W. LICCIONE,

Plaintiff,

vs.

Case No.: 26-002751-CI

RON DESANTIS, et. al.,

Defendants.

**ORDER GRANTING PLAINTIFF'S EMERGENCY MOTION TO
TRANSFER VENUE TO LEON COUNTY**
***** DIRECTIONS TO CLERK *****

THIS MATTER is before the Court on Plaintiff's Emergency Motion to Transfer Venue to Leon County ("Motion to Transfer") filed on June 12, 2026. Having considered the Motion, case file, the applicable law, and being otherwise fully advised in the premises, the Court hereby **FINDS** as follows:

1. Plaintiff initiated this action on May 4, 2026 in Pinellas County. Plaintiff's Complaint names three defendants: Ron DeSantis ("Governor DeSantis"), Cord Byrd ("Secretary Byrd"), and Julie Marcus ("Supervisor Marcus") in their official capacities as Florida Governor, Florida Secretary of State, and Pinellas County Supervisor of Elections respectively.

2. On June 11, 2026, Governor DeSantis and Secretary Byrd filed a joint Motion to Dismiss. Their motion raised the issue of improper venue on the basis that Governor DeSantis and Secretary Byrd enjoy home venue privilege in Leon County and are not subject to suit in Pinellas County. The Motion to Dismiss also asserts that section 8.062, Florida Statutes (2025) governs venue in this matter.

3. On June 12, 2026, Plaintiff filed his Motion to Transfer, which seeks to transfer the case in its entirety as to all three defendants to Leon County. Accordingly, Plaintiff has expressed his acquiescence to litigating the instant matter in Leon County.

4. On June 12, 2026, this Court entered an order to show cause which afforded Supervisor Marcus an opportunity to state her opposition or acquiescence to litigating the instant matter in Leon County.

5. On June 16, 2026, Supervisor Marcus responded to the order to show cause (“Response”) and asserted her home venue privilege in Pinellas County. Her Response argues that she is not subject to suit in Leon County as none of the recognized exceptions to the home venue privilege apply to her in this case. However, her Response fails to address the applicability of section 8.062 to the instant matter.

6. The home venue privilege is “judicially created and derived from the common law rather than by legislative act.” *State, Dep’t of Ins. v. Accelerated Benefits Corp.*, 817 So. 2d 1086, 1087 (Fla. 4th DCA 2002). “To the extent a common law rule is inconsistent with the statutory text, the statute takes precedence.” *C.N. v. I.G.C.*, 316 So. 3d 287, 291 (Fla. 2021). “[A] trial court must apply the home venue privilege unless one of the recognized exceptions to the privilege is satisfied.” *Florida Dep’t of Child. & Fam. Servs. v. Sun-Sentinel, Inc.*, 865 So. 2d 1278, 1281 (Fla. 2004). “One exception exists in cases where the Legislature has by statute waived the privilege.” *Id.* (citations omitted). “In actions brought under statutes possessing their own special venue section, the question of venue will be governed by the special venue provision.” *Barr v. Florida Bd. of Regents*, 644 So. 2d 333, 335 (Fla. 1st DCA 1994)).

7. Having considered the various filings on the issue of venue in this matter, the court finds that section 8.062 controls. Section 8.062, which bears the title “Limitation on choice of

venue for actions challenging congressional districts,” states in full: “Notwithstanding any other provision of law, state court actions challenging the state’s congressional districts shall be brought only in Leon County.” Given that the instant matter involves a challenge to the state’s congressional districts, the Court finds that section 8.062 functions as a waiver of Supervisor Marcus’s home venue privilege. Accordingly, the proper venue to litigate the instant matter – including claims made against Supervisor Marcus – is Leon County.

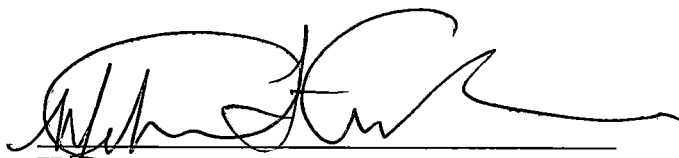
8. Although Governor DeSantis and Secretary Byrd have requested dismissal of the instant matter due to improper venue, the proper remedy is transfer of this case to the proper venue. *See State v. Kotecki*, 82 So. 3d 1150, 1152 (Fla. 2d DCA 2012) (“As a general principle, a transfer, rather than dismissal, is the preferred remedy for improper venue.”) (citing *Bush v. State*, 945 So. 2d 1207, 1214–15 (Fla. 2006)).

Accordingly, it is

ORDERED and ADJUDGED:

1. Plaintiff’s Motion to Transfer is hereby **GRANTED**. The instant matter is hereby transferred in its entirety to the Second Judicial Circuit in Leon County, Florida.
2. Plaintiff is responsible for the payment of any transfer fee(s).
3. The Pinellas County Clerk of the Circuit Court is hereby directed to prepare and transfer the case file for the instant matter to the Second Judicial Circuit in Leon County, Florida.

DONE and ORDERED in Chambers, in Clearwater, Pinellas County, Florida this 18 day of June, 2026.



Honorable Michael F. Andrews
Circuit Civil Judge

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