

**IN THE CIRCUIT COURT
OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR LEVY COUNTY, FLORIDA**

**CASE NUMBER: 38-2024-CA-000075-CAAM
Circuit Civil Division**

**JEFFRY FERGUSON and
KIMBERLY SWIFT,
Petitioners,**

-vs-

LEVY COUNTY, a political subdivision of the State of Florida,

**and RYAN THOMAS, 3RT SAND MINE, In Re: SPECIAL EXCEPTION SE 23-01
Respondents.**

ORDER ON PETITION FOR WRIT OF CERTIORARI

THIS CAUSE having come before the court upon Petitioners Petition for Writ of Certiorari and this court having reviewed said Petition, the Respondents' Response in Opposition to Petition for Writ of Certiorari, the Petitioner's Reply, the relevant transcripts, exhibits, case history, and applicable law, finds as follows:

1. This Court has jurisdiction to issue writs of certiorari consistent with Article V, Section 5(b) Florida Constitution and Florida Rule Appellate Procedure 9.030(c)(3). Petitioner filed the Petition for Writ of Certiorari seeking judicial review of a quasi-judicial decision by Levy County Board of County Commissioners (e.g., the lower tribunal) pursuant to Florida Rules of Appellate Procedure 9.100(b), (c) and 9.190(b)(3).
2. The Respondents, after Order Directing Response issued on 5/16/24, and pursuant to Rule 9.100(j), filed a response on 6/12/24 to which the Petitioner then filed a Reply per Rule 9.100(k).