

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

DREW C. HARTLEY,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D11-1814

TIFFT, ROMINE, FENNIMORE,
MIXON, BLUE, AND JOHN
DOES,

Appellees.

Opinion filed April 17, 2012.

An appeal from an order of the Circuit Court for Santa Rosa County.
Thomas R. Santurri, Judge.

Drew C. Hartley, pro se, Appellant.

Pamela Jo Bondi, Attorney General, and Joy A. Stubbs, Assistant Attorney General,
Tallahassee, for Appellees.

PER CURIAM.

Finding appellees' motion for remand and notice of concession of error to be well-taken, the order dismissing the complaint without prejudice is quashed and the cause is remanded with instructions to allow appellant leave to amend his complaint. If appellant fails to sufficiently allege an amount in controversy to meet the jurisdictional requirements of the circuit court, the complaint should be transferred to the county court. See Spradley v. Doe, 612 So. 2d 722 (Fla. 1st DCA 1993) (holding that an order dismissing a complaint for lack of subject matter jurisdiction to be error and remanding the case for transfer to the county court).

BENTON, C.J., ROWE and MAKAR, JJ., CONCUR.