

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

RAYFIELD LANE,

Petitioner,

v.

FLORIDA PROBATION
COMMISSION,

Respondent.

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

CASE NO. 1D04-2654

Opinion filed March 8, 2005.

Petition for Writ of Certiorari -- Original Jurisdiction.

Rayfield Lane, pro se, petitioner.

Kim M. Fluharty, General Counsel, and Susan Schwartz, Assistant General Counsel,
Florida Parole Commission, Tallahassee, for respondent.

PER CURIAM.

Because the petition for writ of habeas corpus filed below set forth a prima facie basis for relief, the circuit court erred in summarily denying the petition without issuing an order to show cause. Fla. R. Civ. P. 1.630(d). Accordingly, we grant the petition for writ of certiorari, quash the circuit court's order and remand this cause for further proceedings.

WEBSTER, PADOVANO and HAWKES, JJ., concur.