

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

DERON GARDNER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D04-3934

Opinion filed April 25,2005.

Petition for Writ of Mandamus -- Original Jurisdiction.

Deron Gardner, pro se, petitioner.

Charlie Crist, Attorney General, and A. Miréille Fall, Assistant Attorney General,  
Tallahassee, for respondent.

PER CURIAM.

The petition for writ of mandamus is granted. Within 60 days, the trial court is directed to rule on petitioner's pending rule 3.800(a) motion which raised issues relating to the scoring of the criminal punishment code scoresheet. We withhold issuance of the writ, being confident that the trial court will rule forthwith on the pending motion and will take such further action as is required in a timely manner.

PETITION GRANTED.

WOLF, C.J., DAVIS and PADOVANO, JJ., concur.