

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

DERICK SMITH,

Appellant,

v.

FLORIDA DEPARTMENT OF
CORRECTIONS,

Appellee.

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

CASE NO. 1D05-5494

Opinion filed January 31, 2006.

An appeal from an order of the Circuit Court for Leon County.
Janet E. Ferris, Judge.

Derick Smith, pro se, appellant.

No appearance for appellee.

PER CURIAM.

This appeal is dismissed for lack of jurisdiction. This disposition is without prejudice to appellant's right to seek review of the order(s) regarding fees when the circuit court has rendered a disposition on the underlying petition for writ of mandamus. See Banks v. State, 30 Fla. L. Weekly D2735 (Fla. 1st DCA Dec. 7, 2005).

DISMISSED.

BARFIELD, DAVIS and HAWKES, JJ., concur.