

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

ROBERT DAVELLA,

Petitioner,

v.

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

CASE NO. 1D06-0403

JAMES R. McDONOUGH,  
Secretary, Florida Department of  
Corrections,

Respondent.

---

Opinion filed November 6, 2006.

Petition for Writ of Certiorari - Original Jurisdiction.

Robert Davella, pro se, Petitioner.

Charlie Crist, Attorney General, and Alexandria Walters, Assistant Attorney General,  
Tallahassee, for Respondent.

PER CURIAM.

Petitioner seeks certiorari review of the trial court's orders (1) denying his petition for a writ of mandamus challenging a forfeiture of gain time in his prison disciplinary proceeding and (2) imposing a lien on his inmate trust account to cover court costs and fees. Because the trial court afforded petitioner due process of law and

did not depart from the essential requirements of law when it denied his petition for a writ of mandamus, we deny that portion of his petition for a writ of certiorari on the merits. However, because, as respondent correctly concedes, the action in the trial court was a collateral criminal action as that term is defined in Schmidt v. Crusoe, 878 So. 2d 361 (Fla. 2003), we grant the petition to the extent it seeks to have the order placing a lien on his inmate trust account vacated. See Cason v. Crosby, 892 So. 2d 536 (Fla. 1st DCA 2005).

WEBSTER, BENTON, and VAN NORTWICK, JJ., CONCUR.