

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

STANLEY K. GEDDIE,

Petitioner,

v.

JAMES R. MCDONOUGH,

Respondent.

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

CASE NO. 1D06-0869

Opinion filed October 31, 2006.

Petition for Writ of Certiorari -- Original Jurisdiction.

Stanley K. Geddie, pro se, Petitioner.

Charlie Crist, Attorney General, and Linda Horton Dodson, Assistant Attorney General, Tallahassee, for Respondent.

PER CURIAM.

Stanley K. Geddie, petitioner, seeks certiorari review of the trial court's order denying him relief from a disciplinary report issued by the Florida Department of Corrections (Department), forfeiting certain gain time he accumulated while in the

custody of the Department. He also seeks relief from the circuit court's order authorizing the Department to impose a lien against his trust account for the full amount of costs and fees caused by the proceeding he instituted. We deny the petition insofar as it relates to the forfeiture of gain time, because in this respect, we find the circuit court did not depart from the essential requirements of the law. See Sheley v. Fla. Parole Comm'n, 703 So. 2d 1202 (Fla. 1st DCA 1997), approved, 720 So. 2d 216 (Fla. 1998). We agree, however, that the trial court departed from the essential requirements of the law by imposing a lien against petitioner's trust account. See Schmidt v. Crusoe, 878 So. 2d 361 (Fla. 2003); Wagner v. McDonough, 927 So. 2d 216 (Fla. 1st DCA 2006).

Petition for writ of certiorari DENIED in part and GRANTED in part.

ERVIN, WEBSTER, and HAWKES, JJ., CONCUR.