

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

VANITA FRAZIER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D06-3647

Opinion filed December 1, 2006.

Petition for Writ of Mandamus -- Original Jurisdiction.

Vanita Frazier, pro se, Petitioner.

Charlie Crist, Attorney General; Felicia A. Wilcox and Betty Cheramie, Assistant Attorneys General, Tallahassee, for Respondent.

PER CURIAM.

In light of the circuit court's order directing the State Attorney to file a response, we find that the granting of mandamus relief to compel a ruling on petitioner's pending motion for postconviction relief is not warranted. See Munn v. Fla. Parole Comm'n, 807 So. 2d 733 (Fla. 1st DCA 2002). Therefore, we deny the petition for writ of mandamus but we strongly encourage the circuit court to promptly rule on petitioner's motion for postconviction relief. See Wiley v. State, 919 So. 2d 618 (Fla. 1st DCA 2006).

BARFIELD, WEBSTER, and POLSTON, JJ., CONCUR.