

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

RICHARD H. GIBSON,

Petitioner,

v.

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

Respondent.

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

CASE NO. 1D06-3662

Opinion filed August 31, 2006.

Petition for Writ of Certiorari -- Original Jurisdiction.

Richard H. Gibson, pro se, Petitioner.

No appearance for Respondent.

PER CURIAM.

Petitioner's motion to review has been treated as a petition for writ of certiorari.

The petition for writ of certiorari is dismissed as premature because petitioner is

seeking review of an indigency order related to the circuit court filing fee; therefore, review is properly made after the circuit court has issued a final order disposing of the cause pending below. Banks v. State, 916 So. 2d 35 (Fla. 1st DCA 2005).

DISMISSED.

BARFIELD, PADOVANO, and HAWKES, JJ., CONCUR.