

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

THE JUSTICE
ADMINISTRATIVE
COMMISSION, A State Agency,

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

Petitioner,

CASE NO. 1D09-5107

v.

JAMES J. CONNOR, ESQUIRE,

Respondent.

_____ /

Opinion filed December 31, 2009.

Petition for Writ of Certiorari – Original Jurisdiction

Christian D. Lake, for Petitioner.

James J. Connor, pro se, Appellee.

PER CURIAM.

We agree with petitioner, the Justice Administrative Commission (“JAC”), that the trial court departed from the essential requirements of the law in awarding respondent, court-appointed counsel, attorney’s fees where the JAC was not served

with respondent's motion for fees and where the trial court did not conduct a hearing on the motion. See § 27.5304, Fla. Stat.

Accordingly, we GRANT the petition for writ of certiorari, QUASH the order awarding fees, and REMAND for further proceedings.

BARFIELD, VAN NORTWICK, and CLARK, JJ., CONCUR.