

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2007

KENNETH C. JENNE, II, as Sheriff of Broward County, Florida,
Petitioner,

v.

WILLIAM AMMONS, as defendant in State v. Ammons, and **STATE OF
FLORIDA**,
Respondents.

No. 4D07-1160

[June 6, 2007]

PER CURIAM.

Kenneth C. Jenne, II, as Sheriff of Broward County, Florida, petitions this court for a writ of certiorari to quash the lower tribunal order compelling the Broward County Sheriff's Office ("BSO") to provide certain medical care to respondent William Ammons, a criminal defendant being held in the Broward County Jail. The circuit court order requires BSO to provide Ammons with eyeglasses although Armor Correctional Health Services, Inc., BSO's health care provider, determined that Ammons did not require corrective lenses at this time.

We conclude that the trial court order irreparably injures the petitioner and leaves BSO with no remedy on appeal as the sheriff's office "is not a party to the [underlying] criminal case." *Armor Corr. Health Servs., Inc. v. Ault*, 942 So. 2d 976, 977 (Fla. 4th DCA 2006) (citing *Fla. Dep't of Health & Rehab. Servs. v. Myers*, 675 So. 2d 700 (Fla. 4th DCA 1996)). Furthermore, the circuit court's order departs from the essential requirements of law as the judicial branch has no authority to dictate how BSO carries out its duty to provide medical care to inmates housed in the Broward County Jail. *See id.* Accordingly, we grant the petition for writ of certiorari and quash the circuit court's order.

STEVENSON, C.J., WARNER and FARMER, JJ., concur.

* * *

Petition for writ of certiorari to the Circuit Court for the Seventeenth

Judicial Circuit, Broward County; Cynthia G. Imperato, Judge; L.T. Case No. 06-878 CF10C.

Terrence O. Lynch, Fort Lauderdale, for petitioner.

Samuel R. Halpern, Fort Lauderdale, for respondent William Ammons.

Not final until disposition of timely filed motion for rehearing.