

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

LUEGENAER THOMAS,
Appellant,

v.

FLORIDA PAROLE COMMISSION,
Appellee.

No. 4D07-123

[March 21, 2007]

PER CURIAM.

In this appeal from an order denying appellant's petition for writ of mandamus/habeas corpus, appellee Florida Parole Commission concedes that the trial court erred in ruling on the petition before waiting twenty days to permit appellant to file a reply to appellee's response. *See Bard v. Wolson*, 687 So. 2d 254 (Fla. 1st DCA 1996). We agree and reverse for further proceedings consistent with this opinion.

STONE, WARNER and HAZOURI, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Charles M. Greene, Judge; L.T. Case No. 06-12568 02.

Luegenaer Thomas, Fort Lauderdale, pro se.

Bradley R. Bischoff, Tallahassee, for appellee.

Not final until disposition of timely filed motion for rehearing.