

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

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

STATE OF FLORIDA,

Appellant,

v.

Case No. 5D18-686

OFFICE OF THE PUBLIC DEFENDER,
EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA AND
MICHAEL FALANGA,

Appellees.

_____ /

Opinion filed July 27, 2018

Appeal from the Circuit Court
for Brevard County,
Charles J. Roberts, George T. Paulk
and Jeffrey F. Mahl, Judges.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Rebecca R. McGuigan,
Assistant Attorney General, Daytona
Beach, for Appellant.

James S. Purdy, Public Defender, and
Nancy Ryan, Assistant Public Defender,
Daytona Beach, for Appellees.

ORFINGER, J.

The State of Florida appeals the circuit court's order denying its petition for a writ of quo warranto, challenging the Office of Public Defender's authority to intervene in civil traffic infraction cases. Based on our opinion in State v. Grate, No. 5D18-683 (Fla. 5th

DCA July 27, 2018), issued simultaneously herewith, we treat this matter as a direct appeal, reverse the circuit court's order, and remand with instructions to grant the petition.¹

REVERSED and REMANDED.

WALLIS and LAMBERT, JJ., concur.

¹ The circuit court considered this matter with a three-judge panel. Judge Paulk dissented and would have granted the petition.