

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

LARRY D. BOSTIC,

Petitioner,

v.

JAMES V. CROSBY, JR.,

Respondent.

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

CASE NO. 1D02-4247

Opinion filed October 28, 2003.

Petition for Writ of Certiorari -- Original Jurisdiction.

Larry D. Bostic, petitioner, pro se.

Louis A. Vargas, General Counsel, and Sheron Wells, Assistant General Counsel,
Department of Corrections, for respondent.

PER CURIAM.

Larry D. Bostic seeks certiorari review of an order of the circuit court denying his petition for writ of mandamus. We deem it necessary to address only his claim

that he is entitled to relief under Bolden v. Moore, 28 Fla. L. Weekly D187 (Fla. 1st DCA Jan. 8, 2003), review granted, 848 So. 2d 1153 (Fla. 2003). Respondent Crosby asserts that the rationale employed by this court in Bolden is not applicable to this case, or alternatively suggests that this proceeding should be abated pending the supreme court's disposition of the question certified in Bolden. We conclude that because Bostic's sentences are for unrelated crimes, our decision in Bolden affords him no basis for relief. Compare Lewis v. Crosby, 28 Fla. L. Weekly D2017 (Fla. 1st DCA Aug. 26, 2003). Accordingly, we deny both the petition for writ of certiorari and respondent's motion to abate. This disposition is without prejudice to Bostic's right to seek relief in the event the supreme court's decision in Bolden establishes a basis for doing so.

ALLEN, DAVIS and BENTON, JJ., concur.