

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

MARY B. BARRS, as Personal
Representative of the Estate of Harvey
Leroy Bell, deceased,

Petitioner,

v.

FAYE TOWNSEND,

Respondent.

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

CASE NO. 1D03-2814

Opinion filed August 21, 2003.

Petition for Writ of Certiorari -- Original Jurisdiction.

S. Austin Peele of Darby, Peele, Bowdoin & Payne, Lake City, for petitioner.

No appearance for respondent.

PER CURIAM.

Mary Barrs seeks review of the circuit court's opinion reversing a decision of the county court. Barrs's remedy is certiorari, rather than appeal, and therefore, we

convert the appeal to a certiorari proceeding. See Haines City Community Development v. Heggs, 658 So. 2d 523 (Fla. 1995). However, because this court's jurisdiction was not timely invoked, this proceeding is hereby dismissed. See Miller v. State, 781 So. 2d 1146 (Fla. 1st DCA 2001)(rejecting petitioner's argument that the time for invoking the court's jurisdiction is measured from issuance of the circuit court's mandate); Jones v. Cannon, 750 So. 2d 108 (Fla. 1st DCA 1999).

ERVIN, BARFIELD and DAVIS, JJ., concur.