

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

WILLIAM GEIGER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D03-4533

Opinion filed December 9, 2003.

Petition for Writ of Habeas Corpus -- Original Jurisdiction.

William Geiger, pro se, petitioner.

Charlie Crist, Attorney General, Tallahassee, for respondent.

PER CURIAM.

William Geiger petitions this court for a writ of habeas corpus, contending that his plea to criminal charges was involuntary and raising other challenges to his

conviction. This petition must be denied because petitioner has an adequate remedy through a motion for postconviction relief in the circuit court. Fla. R. Crim. P. 3.850(h). In fact, Geiger's petition suggests that he has already filed such a motion but the circuit court has been slow in disposing of the matter. Our denial of the habeas corpus petition is therefore without prejudice to Geiger's right to petition this court for a writ of mandamus if the circuit court does not act on the motion within a reasonable time. See Bernard v. State, 734 So. 2d 606 (Fla. 1st DCA 1999).

PETITION DENIED.

ERVIN, BOOTH and KAHN, JJ., concur.