

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

PETER BABALA,

Appellant,

v.

JAMES V. CROSBY, JR.,
Secretary, Department of Corrections,

Appellee.

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

CASE NO. 1D03-4740

Opinion filed June 29, 2004.

An appeal from an order of the Circuit Court for Leon County.
Charles A. Francis, Judge.

Peter Babala, pro se, appellant.

Charlie Crist, Attorney General, and Joy A. Stubbs, Assistant Attorney General,
Tallahassee, for appellee.

PER CURIAM.

The order dismissing appellant's petition for writ of mandamus is reversed,
and the matter is remanded for further proceedings. See Burgess v. Crosby, 870 So.
2d 217 (Fla. 1st DCA 2004).

BARFIELD, DAVIS and BENTON, JJ., concur.