

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

MICHAEL ANDERSON,

Petitioner,

v.

ARAMARK FOOD CORP.,

Respondent.

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

CASE NO. 1D04-1488

Opinion filed January 28, 2005.

Petition for Writ of Mandamus -- Original Jurisdiction.

Michael Anderson, pro se, petitioner.

Bruce C. Fehr of Vernis & Bowling of Northwest Florida, P.A., for Aramark Food Corp.; Rosa Carson, Acting General Counsel, and Sara K. Cunningham, Assistant General Counsel, Department of Corrections, Tallahassee, for Florida Department of Corrections.

PER CURIAM.

Michael Anderson petitions this court for a writ of mandamus, seeking an order which would compel the Circuit Court for Jackson County to render a ruling on the

mandamus petition which is now pending in that forum. Respondent points out that actions which followed the filing of the circuit court petition have rendered it moot. Even if that is so, it is a basis for the circuit court to deny relief, but the case may not be left pending indefinitely. See Kramp v. Fagan, 568 So. 2d 479 (Fla. 1st DCA 1990). Accordingly, we grant the petition and order the circuit court to dispose of Anderson's mandamus petition within a reasonable time, not to exceed 30 days from issuance of mandate in this cause.

PETITION GRANTED.

KAHN, BENTON, and PADOVANO, JJ., concur.