

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

STEFAN M. LINDEN,

Appellant,

v.

JAMES V. CROSBY, JR.,

Appellee.

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

CASE NO. 1D04-3698

Opinion filed November 5, 2004.

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

Stefan M. Linden, appellant, pro se.

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

PER CURIAM.

Upon consideration of appellee's concession of error, the order transferring appellant's petition for writ of mandamus to his sentencing court is reversed, and the matter is remanded to the circuit court for consideration of the merits of appellant's petition. See Davidson v. Crosby, 29 Fla. L. Weekly D2006 (Fla. 1st DCA Aug. 31, 2004); Burgess v. Crosby, 870 So. 2d 217 (Fla. 1st DCA 2004).

BOOTH, BARFIELD and ALLEN, JJ., concur.