

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

CLIFF BLUNTSON,

Petitioner,

v.

FLORIDA PAROLE COMMISSION,

Respondent.

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

CASE NO. 1D04-4418

Opinion filed September 8, 2005.

Petition for Writ of Certiorari -- Original Jurisdiction.

Cliff Bluntson, pro se, petitioner.

Kim M. Fluharty, General Counsel, and Susan Schwartz, Assistant General Counsel,
Florida Parole Commission, Tallahassee, for respondent.

PER CURIAM.

Because the petition for writ of habeas corpus filed below set forth a prima facie basis for relief, the circuit court erred in summarily denying the petition without issuing an order to show cause. Fla. R. Civ. P. 1.630(d). Accordingly, we grant the petition for writ of certiorari, quash the circuit court's order and remand this cause for further proceedings. See Lane v. Florida Probation Commission, 894 So. 2d 1087 (Fla. 1st DCA 2005).

PETITION GRANTED.

DAVIS, BENTON and VAN NORTWICK, JJ., concur.