

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

ANTOINE VONSHA BOOKER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

---

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

CASE NO. 1D05-4051

Opinion filed November 30, 2005.

Petition for Writ of Prohibition -- Original Jurisdiction.

Michael R. Rollo of Michael R. Rollo, P.A., Pensacola, for petitioner.

Charlie Crist, Attorney General, and Curtis M. French, Senior Assistant Attorney General, Tallahassee, for respondent.

PER CURIAM.

We find that the motion for disqualification of Judge Frank Bell was timely and legally sufficient when the facts alleged therein are taken as true. The motion should have been granted and we therefore grant the petition for writ of prohibition, remanding the cause with directions to Judge Bell that he enter an order granting the motion for disqualification.

PETITION GRANTED.

DAVIS, BROWNING and LEWIS, JJ., concur.