

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

MICHAEL TAYLOR,

Appellant,

v.

JAMES R. McDONOUGH,  
SECRETARY, FLORIDA  
DEPARTMENT OF CORRECTIONS,

Appellee.

---

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

CASE NO. 1D06-0363

Opinion filed June 21, 2007.

An appeal from the Circuit Court for Leon County.  
Terry P. Lewis, Judge.

Michael Taylor, pro se, Appellant.

Bill McCollum, Attorney General, Tallahassee; and Connie L. Beach, Holly N. Simcox, and Chris Korn, Assistant General Counsels, Department of Corrections, Tallahassee, for Appellees.

PER CURIAM.

The appellee has conceded that under Schmidt v. Crusoe, 878 So. 2d 361 (Fla. 2003), the circuit court erred in ordering a lien on the appellant's inmate trust account

for filing fees associated with his petition for writ of mandamus challenging his award of basic gain time. The denial of the motion to vacate the lien is therefore REVERSED and the case is REMANDED to the trial court with instructions to vacate the lien.

BARFIELD, KAHN, and PADOVANO, JJ., CONCUR.