

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

MICHAEL HURLEY,

Appellant,

v.

JAMES MCDONOUGH, Secretary,  
Florida Department of Corrections,

Appellee.

---

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

CASE NO. 1D06-2904

Opinion filed February 12, 2007.

An appeal from the Circuit Court for Leon County.  
Janet E. Ferris, Judge.

Appellant Michael Hurley, pro se, Bushnel.

Bill McCollum, Attorney General, and Alexandria E. Walters, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

Michael Hurley appeals an order denying his petition for writ of mandamus and  
denying his pending motions, including a motion seeking relief from an order  
imposing a lien on his inmate trust account in connection with the mandamus

proceeding. We affirm without discussion the denial of Hurley's petition. Because, however, as appellee correctly concedes, the action in the circuit court was a collateral criminal action, we reverse that portion of the order denying Hurley's motion seeking removal of the lien. See Cason v. Crosby, 892 So. 2d 536 (Fla. 1st DCA 2005). We remand the case with directions that the circuit court dissolve the lien and direct the reimbursement of any funds withdrawn pursuant thereto. See, e.g., Hickey v. McDonough, 32 Fla. L. Weekly D195 (Fla. 1st DCA Jan. 9, 2007); Marquez v. McDonough, 32 Fla. L. Weekly D192 (Fla. 1st DCA Jan. 5, 2007); Asad v. McDonough, 943 So. 2d 1021 (Fla. 1st DCA 2006).

AFFIRMED IN PART; REVERSED IN PART; AND REMANDED, with directions.

ALLEN, KAHN, and DAVIS, JJ., CONCUR.