

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

JOSEPH DAMES,

Petitioner,

v.

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

CASE NO. 1D06-3425

JAMES R. MCDONOUGH,  
SECRETARY, FLORIDA  
D E P A R T M E N T O F  
CORRECTIONS,

Respondent.

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Opinion filed May 8, 2007.

Petition for Writ of Certiorari -- Original Jurisdiction.

Joseph Dames, pro se, Petitioner.

Kathleen Von Hoene, General Counsel, and Daniel Burke, Assistant General Counsel,  
Department of Corrections, Tallahassee , for Respondent.

PER CURIAM.

Petition for writ of certiorari is DENIED with respect to the writ of mandamus.  
Petitioner's action in the lower tribunal is a collateral criminal action as defined by  
Schmidt v. Crusoe, 878 So. 2d 361 (Fla. 2003), and subsequent cases. Therefore, the

trial court's order imposing a lien on petitioner's inmate trust account is QUASHED.

This action is REMANDED to the trial court for an order reimbursing petitioner's inmate trust account for monies removed pursuant to the lien.

ALLEN, WEBSTER, and ROBERTS, JJ., CONCUR.