

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

WALTER K. PENDARVIS,

Petitioner,

v.

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

CASE NO. 1D06-4760

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

Respondent.

Opinion filed August 14, 2007.

Petition for Writ of Certiorari -- Original Jurisdiction.

Walter K. Pendarvis, pro se, Petitioner.

Bill McCollum, Attorney General, and Kathleen Von Hoene, General Counsel,
Tallahassee, for Respondent.

PER CURIAM.

Walter Pendarvis timely petitions for certiorari review of an order of the circuit court denying his petition for writ of mandamus, in which he challenged the Department of Corrections' gain-time computation. The circuit court denied that

claim on the merits, and Pendarvis does not challenge that ruling before this Court. However, he asserts that the circuit court erred when it imposed a lien on his inmate trust account. The Department concedes this error and we agree. See Mathis v. McDonough, 957 So. 2d 95 (Fla. 1st DCA 2007).

Accordingly, we quash the order imposing a lien on petitioner's inmate trust account and remand to the circuit court with instructions to direct the reimbursement of any funds collected pursuant to the improper lien.

WOLF, PADOVANO, and ROBERTS, JJ., CONCUR.