

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

GARRETT WRIGHT,

Petitioner,

v.

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

CASE NO. 1D06-5778

JAMES R. McDONOUGH,  
Secretary, Florida Department of  
Corrections,

Respondent.

\_\_\_\_\_ /

Opinion filed June 27, 2007.

Petition for Writ of Certiorari - Original Jurisdiction.

Garrett Wright, pro se, Petitioner.

Bill McCollum, Attorney General, and Linda Horton Dodson, Assistant Attorney  
General, Tallahassee, for Respondent.

PER CURIAM.

In this petition for writ of certiorari, Petitioner challenges the circuit court's  
denial of his petition for writ of mandamus, and the imposition of a lien placed on his

inmate trust account. The petition for writ of mandamus challenged a disciplinary proceeding, which adversely affected Petitioner's ability to earn gain-time. Based on our review of the record, we conclude that the circuit court properly denied the petition for writ of mandamus. See Sandin v. Conner, 515 U.S. 472, 484 (1995); Wolff v. McDonnell, 418 U.S. 539 (1974). Consequently, the petition for writ of certiorari challenging the denial of the petition for writ of mandamus is DENIED.

However, Petitioner's mandamus petition challenged the loss of his ability to earn gain-time. Because his challenge had the potential of affecting the time he will spend in prison, the circuit court departed from the essential requirements of law by placing a lien on his inmate trust account to pay for court costs incurred by filing the mandamus petition. Schmidt v. Crusoe, 878 So.2d 361 (Fla. 2003); Yasir v. McDonough, 31 Fla. L. Weekly D1459 (Fla. 1st DCA May 25, 2006). The petition for writ of certiorari challenging the imposition of a lien on Petitioner's inmate account is GRANTED, and the order imposing the lien is QUASHED.

DAVIS and POLSTON, JJ., and LAWRENCE, JR., L. ARTHUR, SENIOR JUDGE, CONCUR.