

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

JAMES CASEN,

Petitioner,

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

v.

CASE NO. 1D06-5986

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

Respondent.

Opinion filed July 31, 2007.

Petition for Writ of Mandamus -- Original Jurisdiction.

James Casen, pro se, Petitioner.

Bill McCollum, Attorney General, and Holly M. Simcox, Assistant Attorney General,
Tallahassee, for Respondent.

PER CURIAM.

This petition for writ of mandamus seeks to compel a ruling on a petition for writ of mandamus filed in circuit court case numbers G.0601212032 and G.0660991.

However, the clerk of the circuit court has certified that no such case files exist. Because there is no pleading pending below, the petition for writ of mandamus is denied.

Petitioner has tendered to this court a copy of the pleading which he asserts was filed below. This petition includes a date stamp on its face showing that it was given to prison officials for mailing. Accordingly, within 30 days, petitioner shall file with the clerk of the circuit court a copy of the petition which includes the date stamp on the face of the pleading. See Rife v. State, 32 Fla. L. Weekly D1459 (Fla. 1st DCA June 13, 2007); Hartley v. Fla. Dep't of Corrections, 954 So. 2d 684 (Fla. 1st DCA 2007).

PETITION DENIED.

BARFIELD, ALLEN, and HAWKES, JJ., CONCUR.