

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

MARK PETERSON,

Petitioner,

v.

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

CASE NO. 1D06-6551

FLORIDA PAROLE COMMISSION,

Respondent.

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Opinion filed July 6, 2007.

Petition for Writ of Certiorari - Original Jurisdiction.

Mark Peterson, pro se, Petitioner.

Bradley R. Bischoff, Assistant General Counsel, Florida Parole Commission,  
Tallahassee, for Respondent.

PER CURIAM.

As the Florida Parole Commission concedes, the circuit court erred in denying Peterson's petition for writ of habeas corpus without affording him sufficient time to reply to the Commission's response. *See McCarthy v. Fla. Parole Comm'n*, 889 So.

2d 1018 (Fla. 1<sup>st</sup> DCA 2005); *Smith v. Fla. Dept. of Corrs.*, 882 So. 2d 1090 (Fla. 1<sup>st</sup> DCA 2004); *Bard v. Wolson*, 687 So. 2d 254, 255-256 (1<sup>st</sup> DCA 1996). Accordingly, we GRANT the writ of certiorari and QUASH the circuit court's order.

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