

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

DALE ALBERT ZYGADLO,

Appellant,

v.

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

Appellee.

---

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

CASE NO. 1D07-1076

Opinion filed October 15, 2007.

An appeal from the Circuit Court for Leon County.  
Janet E. Ferris, Judge.

Dale Albert Zygadlo, pro se, Appellant.

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

PER CURIAM.

Dale Albert Zygadlo appeals an order of the circuit court which dismissed his  
mandamus petition for failure to make a partial prepayment of circuit court fees as

ordered by the court. Appellant argues that he had no funds available to him in the months preceding the filing of his circuit court case and that a medical co-payment lien was being processed by the Department of Corrections at the time of the circuit court filing. Having examined the record and considered the arguments presented, we reverse and remand for further proceedings. See Huffman v. Moore, 778 So. 2d 411 (Fla. 1st DCA 2001); Harper v. Moore, 737 So. 2d 1232 (Fla. 1st DCA 1999).

REVERSED and REMANDED.

ALLEN, VAN NORTWICK, and ROBERTS, JJ., CONCUR.