

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

KENNETH S. TUCKER,
SECRETARY, FLORIDA
DEPARTMENT OF
CORRECTIONS,

CASE NO. 1D12-3363

Petitioner,

v.

CHRISTOPHER J. JOHNSON,

Respondent.

_____ /

Opinion filed October 30, 2012.

Petition for Writ of Certiorari -- Original Jurisdiction.

Jennifer Parker, General Counsel, and Beverly Brewster, Assistant General Counsel,
Florida Department of Corrections, Tallahassee, for Petitioner.

No appearance for Respondent.

PER CURIAM.

The petition for writ of certiorari is GRANTED. The lower tribunal's order granting the motion to dismiss the detainer in case number 2008-CF-4491A, rendered June 11, 2012, is QUASHED, and this matter is REMANDED with directions to allow the petitioner an opportunity to respond to the motion to dismiss the detainer prior to ruling on the motion.

No motion for rehearing of this opinion will be entertained by this court, and mandate in this cause shall issue immediately.

ROBERTS, WETHERELL, and SWANSON, JJ., CONCUR.