

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

ERIC B. GREGORY, SR.,

Petitioner,

v.

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

CASE NO. 1D15-3092

STATE OF FLORIDA,

Respondent.

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Opinion filed November 24, 2015.

Petition for Writ of Mandamus -- Original Jurisdiction.

Eric B. Gregory, Sr., pro se, Petitioner.

Pamela Jo Bondi, Attorney General, and Trisha Meggs Pate, Bureau Chief,  
Tallahassee, for Respondent.

PER CURIAM.

To the extent it seeks an order compelling action by the lower tribunal on petitioner's notice of voluntary dismissal of his motion and amended motion to correct illegal sentence, the amended petition for writ of mandamus is DISMISSED as moot.

To the extent the amended petition seeks to compel disposition of petitioner's "new" motion to correct illegal sentence, which appears to have been tendered to the lower tribunal solely as an attachment to petitioner's motion to compel action on his notice of voluntary dismissal, it is DENIED for failure to properly file the "new" motion directly with the lower tribunal, rather than as an attachment to another motion.

THOMAS, ROWE, and KELSEY, JJ., CONCUR.