

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D20-3754

DALAIN L. HOWELL,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

Petition for Writ of Mandamus—Original Jurisdiction.

August 4, 2021

PER CURIAM.

The Court denies the petition for writ of mandamus on the merits. *See Topps v. State*, 865 So. 2d 1253, 1258 (Fla. 2004) (explaining that a decision on an extraordinary writ petition that “clearly shows that the issue was considered by the court on the merits” is deemed a decision “which would later bar the litigant from presenting the issue under the doctrines of res judicata or collateral estoppel”).

LEWIS, OSTERHAUS, and M.K. THOMAS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Dalain L. Howell, pro se, Petitioner.

Ashley Moody, Attorney General, Tallahassee, for Respondent.