

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2012

GERALD ANDRE SHIFLET,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D10-5359

[March 28, 2012]

PER CURIAM.

In 1980, Gerald Shiflet was sentenced to 150 years in prison, with the trial court retaining jurisdiction over the first third of that sentence pursuant to section 947.16, Florida Statutes. In this appeal, Shiflet challenges an order denying his motion asking the trial court for early termination of its retained jurisdiction. We treat the instant appeal as a petition for writ of certiorari and deny the same without prejudice to the trial court's right to terminate its retained jurisdiction should the parole board order early release. *See Blackwelder v. State*, 647 So. 2d 991 (Fla. 2d DCA 1994).

WARNER, STEVENSON and CONNER, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; David Haimen, Judge; L.T. Case No. 80-5618 CF10A.

Gerald Andre Shiflet, Avon Park, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and Katherine Y. McIntire, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.