

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JAVONEY D. ROBERTS,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
_____)

Case No. 2D16-5085

Opinion filed December 27, 2017.

Appeal from the Circuit Court for Pinellas
County; Philip J. Federico, Judge.

Javoney D. Roberts, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Chelsea S. Alper,
Assistant Attorney General, Tampa,
for Appellee.

SILBERMAN, Judge.

We affirm the final order summarily denying Javoney D. Roberts' petition
for writ of mandamus without prejudice to allow him to file a facially sufficient petition
that attaches a copy of his public records request that he made to the State Attorney's
Office. See Fla. R. Civ. P. 1.630(b); Gilliam v. State, 996 So. 2d 956, 958 (Fla. 2d DCA
2008); Major v. Hallandale Beach Police Dep't, 219 So. 3d 856, 858 (Fla. 4th DCA

2017); Woodard v. State, 885 So. 2d 444, 445 (Fla. 4th DCA 2004). If Roberts states a facially sufficient claim, then the circuit court must issue an alternative writ of mandamus requiring the State Attorney's Office to show cause why Roberts is not entitled to the requested relief. See Fla. R. Civ. P. 1.630(d)(2); Gilliam, 996 So. 2d at 958; Farmer v. State, 927 So. 2d 1075, 1076 (Fla. 2d DCA 2006).

Affirmed without prejudice.

SLEET and BADALAMENTI, JJ., Concur.