IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

SECOND DISTRICT

ANTHONY J. WILSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 2D05-4102
	)	
FLORIDA PAROLE COMMISSION,	)	
	)	
Respondent.	)	
_____	)	

Opinion filed November 29, 2006.

Petition for Writ of Certiorari to the Circuit Court
for the Twentieth Judicial Circuit for Hendry
County; sitting in its appellate capacity.

Anthony J. Wilson, pro se.

Bradley R. Bischoff, Assistant General Counsel,
Tallahassee, for Respondent.

PER CURIAM.

Anthony J. Wilson petitions this court for a writ of certiorari to review the

circuit court's denial of his habeas corpus petition in which he contested the revocation

of his conditional release by the Florida Parole Commission ("Commission"). We grant

the petition.

The circuit court, sitting in its appellate capacity, is required to review the

record considered by the Commission prior to entering its final order. Welsch v. State,

823 So. 2d 310, 311-12 (Fla. 2d DCA 2002). In this case, however, the Commission

failed to provide the complete record to the circuit court for its review, as it is required to

do. Id.; see also Williams v. Fla. Parole Comm'n, 625 So. 2d 926, 940 (Fla. 1st DCA

1993). As a result, the circuit court relied solely on the Commission's revocation order

in denying Wilson's habeas petition. In denying the petition without full and accurate

information, the circuit court violated Wilson's procedural due process rights, and thus

departed from the essential requirements of law.

Accordingly, we grant the petition for writ of certiorari and quash the order.

On remand, the circuit court's consideration of Wilson's petition for habeas corpus relief

will require the Commission's response, which should contain all records contained in

Wilson's file and considered by the Commission when it revoked Wilson's conditional

release.

Petition granted, order quashed, and cause remanded with directions.

CASANUEVA and STRINGER, JJ., and DANAHY, PAUL W., SENIOR JUDGE, Concur.