

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

ANTONIO D. VANN,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

Case No. 2D08-4313

Opinion filed May 6, 2009.

Appeal pursuant to Fla. R. App. P.
9.030(b)(1)(A) from the Circuit Court for
Hillsborough County; Manuel A. Lopez,
Judge.

WALLACE, Judge.

Antonio D. Vann filed a petition for writ of mandamus seeking to compel his former counsel, the Public Defender of the Thirteenth Judicial Circuit, to provide free of charge copies of everything in his case file. Although the public defender cannot be required to provide copies of the files prepared and maintained by counsel without adequate compensation, "transcripts that were prepared at public expense on behalf of

an indigent defendant must be provided to the defendant without charge for copying." Potts v. State, 869 So. 2d 1223, 1225 (Fla. 2d DCA 2004) (citing Thompson v. Unterberger, 577 So. 2d 684, 685-86 (Fla. 2d DCA 1991)). Similarly, a defendant is entitled to the return of any personal property that he or she provided to counsel. Id. Because Mr. Vann did not specifically request personal property or copies of transcripts, the circuit court correctly denied his petition. See Harrell v. State, 963 So. 2d 359, 360 (Fla. 2d DCA 2007). We affirm the order denying the petition for writ of mandamus without prejudice for Mr. Vann to file a new request for the Public Defender to provide him with copies of specifically identified items that he is legally entitled to receive without charge.

Affirmed.

WHATLEY and LaROSE, JJ., Concur.