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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

FLORIDA DEPARTMENT OF CORRECTIONS,)
Petitioner,)
V.) Case No. 2D12-5928
DANIEL MORGAN,) }
Respondent.))

Opinion filed May 17, 2013.

Petition for Writ of Certiorari to the Circuit Court for Hardee County; Wm. Bruce Smith, Judge.

Michael T. Kennett, Assistant General Counsel, Florida Department of Corrections, for Petitioner.

Daniel Morgan, pro se.

KHOUZAM, Judge.

The Department of Corrections petitions this court for a writ of certiorari quashing the circuit court's order granting Daniel Morgan's petition for writ of habeas corpus following an administrative dispute. Although we do not fully agree with the circuit court's analysis, we conclude that the Department's narrow argument in support

of its petition does not warrant relief. Consistent with the limited standard of review applicable in a second-tier certiorari proceeding, we deny the petition.

Denied.

WALLACE and CRENSHAW, JJ., Concur.