

Third District Court of Appeal

State of Florida

Opinion filed September 16, 2020.
Not final until disposition of timely filed motion for rehearing.

No. 3D20-1127
Lower Tribunal No. 13-5321

Joseph T. Swift,
Petitioner,

vs.

The State of Florida, et al.,
Respondents.

A Case of Original Jurisdiction – Habeas Corpus.

Joseph T. Swift, in proper person.

Abigail Price-Williams, Miami-Dade County Attorney, and Benjamin D. Simon, Assistant County Attorney, for respondent Daniel Junior.

Before LOGUE, HENDON, and MILLER, JJ.

PER CURIAM.

Denied. See Sanders v. State, 903 So. 2d 241, 242 (Fla. 5th DCA 2005) (“We affirm the trial court’s denial of [the] petition for writ of habeas corpus based on the lack of factual assertions regarding the exhaustion of his available administrative remedies.”); Pryor v. Singletary, 709 So. 2d 653 (Fla. 4th DCA 1998) (“Affirmed without prejudice to appellant’s right to reapply for habeas corpus . . . in the trial court upon a proper showing of legally sufficient grounds and exhaustion of administrative remedies.”); Moore v. Singletary, 624 So. 2d 849, 850 (Fla. 1st DCA 1993) (The “petition for habeas corpus was facially insufficient in that it failed to allege that [the petitioner] had exhausted all available administrative remedies.”); see also Harvard v. Singletary, 733 So. 2d 1020, 1022 (Fla. 1999) (“[A] review of the instant petition suggests that the resolution of this case could very well require fact-finding, a task [appellate courts are] ill-equipped to handle. Clearly, such cases should be handled by the circuit courts.”) (internal citation omitted); In re Commitment of May, 975 So. 2d 579, 581 (Fla. 2d DCA 2008) (“Because [the] petition presents a factual issue . . . [it should] be filed in the trial court, not the appellate court.”).