

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D. 2002

DOUGLAS M. JACKSON, SR.,

**

Appellant,

** CASE NO. 3D02-2481

vs.

**

THE STATE OF FLORIDA,

**

Appellee.

LOWER TRIBUNAL
** CASE NO. 01-460

Opinion filed November 6, 2002.

On Petition for Writ of Certiorari to the Circuit Court
of Miami-Dade County, Amy N. Dean, Judge.

Douglas M. Jackson, Sr., in proper person.

Robert A. Butterworth, Attorney General, for appellee.

Before COPE, LEVY, and FLETCHER, JJ.

PER CURIAM.

Douglas M. Jackson seeks certiorari review of a state
trial court memorandum declining to file his complaint in the
Eleventh Circuit Court for Dade County. In his petition for
certiorari, Jackson contended, among other things, that his
civil rights under federal law, 42 U.S.C. 1983, had been

violated when the Florida Department of Corrections failed to send his personal property along with him when he was transferred to another facility. Jackson correctly points out that the state courts have concurrent jurisdiction with federal courts to enforce federal cases arising under federal law where not specifically prohibited by Congress. However, we must agree with the trial court that Jackson should file for rehearing in federal court as the matters he raised in the state court petition essentially and directly continue his Emergency Motion for Court Ordered Return of Legal, Religious, and Personal Property Confiscated, filed June 12, 2002, in the United States District Court, Southern District of Florida, Case No. 01-460 Civ Jordan. We therefore deny the petition for writ of certiorari.