

Supreme Court of Florida

THURSDAY, MARCH 3, 2011

CASE NO.: SC11-149

Lower Tribunal No(s): 5D10-545,
05-2007-MH-
019713-X

MICHAEL C. DONOVAN

vs. STATE OF FLORIDA

Petitioner(s)

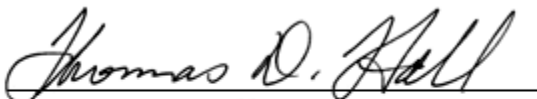
Respondent(s)

The petition for writ of mandamus is hereby denied. To the extent the petitioner seeks reinstatement of Case No. 5D10-545, the petition is denied because the petitioner has failed to establish that he has a clear legal right to the relief sought. See Huffman v. State, 813 So. 2d 10, 11 (Fla. 2000). To the extent the petitioner seeks a writ of mandamus directed at the circuit court, the petition is hereby denied as successive. See Jenkins v. Wainwright, 322 So. 2d 477, 478 (Fla. 1975) (declaring that once a petitioner seeks relief in a particular court by means of a petition for extraordinary writ, he has picked his forum and is not entitled to a second or third opportunity for the same relief by the same writ in a different court).

PARIENTE, LEWIS, QUINCE, POLSTON, and PERRY, JJ., concur.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



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Served:

HON. SUSAN WRIGHT, CLERK
MICHAEL C. DONOVAN
HON. PAMELA JO BONDI
HON. MITCH NEEDELMAN