

Supreme Court of Florida

MONDAY, MAY 18, 2009

CASE NO.: SC09-52

Lower Tribunal No(s): 2D08-5426

JOHN BAILEY

vs. STATE OF FLORIDA

Petitioner(s)

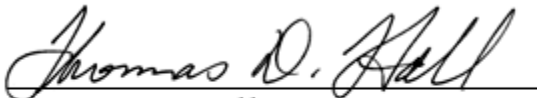
Respondent(s)

Because petitioner has failed to show a clear legal right to compel the Second District Court of Appeal to rule on the merits of a petition for writ of habeas corpus in Bailey v. State, Case No. 2D08-5426, he is not entitled to mandamus relief. Accordingly, the petition for writ of mandamus is hereby denied. See Huffman v. State, 813 So. 2d 10, 11 (Fla. 2000).

PARIENTE, CANADY, POLSTON, LABARGA, and PERRY, JJ., concur.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



bm

Served:

JOHN BAILEY
HON. BILL MCCOLLUM