

Supreme Court of Florida

WEDNESDAY, MAY 6, 2009

CORRECTED ORDER

CASE NO.: SC08-971

Lower Tribunal No(s): 2006-CF-002901-S

DAVID RUSSELL POSEY

vs. WALTER A. MCNEIL, ETC.

Petitioner(s)

Respondent(s)

The Court having considered petitioner's response to the Court's order to show cause dated May 28, 2008, this case is hereby dismissed. See Logan v. State, 846 So. 2d 472 (Fla. 2003); see also Johnson v. State, 974 So. 2d 363, 364-65 (Fla. 2008).

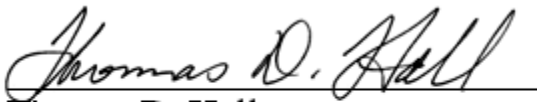
Petitioner's "Motion to Hear and Rule Before Petitioner is Transferred Again Delaying This Writ" is hereby denied.

Petitioner's motion for appointment of counsel and "Motion to Dismiss Charges" are hereby denied without prejudice.

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

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



bm

Served:

WILLIAM POSEY

CLARA POSEY

DAVID RUSSELL POSEY

W. FRANK MCKEITHEN, SHERIFF

HON. DON HOWARD, CLERK

HON. JACK BEHR

KATHLEEN VON HOENE