

Supreme Court of Florida

FRIDAY, DECEMBER 27, 2013

CASE NO.: SC13-1103
Lower Tribunal No(s): 5D12-4582;
2005-CF-6261

JONATHAN L. KORNEXL

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

The order to show cause, issued on June 25, 2013, is hereby discharged. The petition for writ of prohibition is denied because petitioner has failed to demonstrate that a lower court is attempting to act in excess of its jurisdiction. See Mandico v. Taos Constr., Inc., 605 So. 2d 850 (Fla. 1992); English v. McCrary, 348 So. 2d 293 (Fla. 1977). See also Sparkman v. McClure, 498 So. 2d 892, 895 (Fla. 1986)(prohibition is preventative, not corrective); Hamlin v. East Coast Properties, 616 So. 2d 1175, 1176 (Fla. 1st DCA 1993)(purpose of prohibition is to prevent the doing of something, not to compel the undoing of something already done); cf. School Bd. of Pinellas County v. District Court of Appeal, 467 So. 2d 985, 986 (Fla. 1985)("We find no authority for this Court to require a written opinion [from the district court].")

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

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



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Served:

HON. PAMELA JO BONDI
JONATHAN L. KORNEXL
HON. COLLEEN M. REILLY, INTERIM CLERK
HON. PAMELA R. MASTERS, CLERK