

Supreme Court of Florida

FRIDAY, DECEMBER 27, 2013

CASE NO.: SC13-1359
Lower Tribunal No(s): 2D11-4014;
CRC 08-19561
CFANO

ROBERT G. TEMPLE

vs. STATE OF FLORIDA

Petitioner(s)

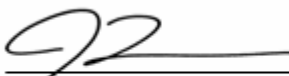
Respondent(s)

Because a writ of mandamus cannot be issued to direct the manner in which a court shall act in the lawful exercise of its jurisdiction, the petition for writ of mandamus is denied. State ex rel. North St. Lucie River Drainage Dist. v. Kanner, 11 So. 2d 889, 890 (Fla. 1943); see also Migliore v. City of Lauderhill, 415 So. 2d 62, 63 (Fla. 4th DCA 1982) (stating that mandamus "is not an appropriate vehicle for review of a merely erroneous decision nor is it proper to mandate the doing (or undoing) of a discretionary act"), approved, 431 So. 2d 986 (Fla. 1983).

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

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



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Served:

HON. PAMELA JO BONDI
ROBERT G. TEMPLE
HON. KEN BURKE, CLERK
HON. JAMES R. BIRKHOLO, CLERK