

Supreme Court of Florida

WEDNESDAY, NOVEMBER 22, 2006

CASE NO.: SC06-2047

Lower Tribunal Nos.: 93-3110-CFAES,
5D05-4480

ANSELM LAMONTE WALLACE vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

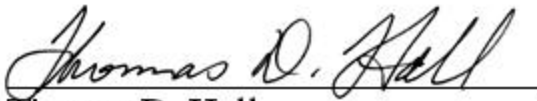
Because a writ of mandamus cannot be issued to direct the manner in which a court shall act in the lawful exercise of its jurisdiction, the petition for writ of mandamus is denied. State ex rel. North St. Lucie River Drainage Dist. v. Kanner, 11 So. 2d 889, 890 (Fla. 1943); see also Migliore v. City 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).

WELLS, PARIENTE, QUINCE and BELL, JJ., concur.

ANSTEAD, J., would transfer to circuit court as appeal of administrative sanctions.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



mc

Served:

HON. SUSAN WRIGHT, CLERK
ANSELM LAMONTE WALLACE
HON. CHARLES J. CRIST, JR.
HON. JULIANNE PIGGOTTE, JUDGE
HON. DIANE M. MATOUSEK, CLERK