

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed April 1, 2009.
Not final until disposition of timely filed motion for rehearing.

No. 3D08-2957
Lower Tribunal No. 08-35490

Alan Rolls,
Appellant,

vs.

Florida Parole Commission,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Marisa Tinkler Mendez, Judge.

Alan Rolls, in proper person.

Sarah J. Rumph (Tallahassee), Assistant General Counsel, for appellee.

Before GERSTEN, C.J., and ROTHENBERG and LAGOA, JJ.

PER CURIAM.

We reverse the order dismissing Alan Rolls' petition for writ of habeas corpus. The trial court should have treated it as a petition for writ of mandamus,

and transferred the case to Leon County. Gibson v. Fla. Parole Comm'n, 895 So. 2d 1291 (Fla. 5th DCA 2005).

Reversed and remanded with instructions.