

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA

CASE NUMBER: 35-2011-CF-000592-BXXX-XX

STATE OF FLORIDA,

vs.

SHAWN MICHAEL CAMPER,
Defendant.

CLERK OF CIRCUIT
AND COUNTY COURT
LAKE COUNTY
TAVARES FLORIDA

2021 MAY 14 AM 10:55

ORDER DENYING DEFENDANT'S
"EMERGENCY PETITION FOR QUIA-TIMET INJUNCTION"

THIS CAUSE came before the Court for review and consideration without a hearing upon the Defendant's "Emergency Petition for Quia-Timet Injunction" filed *pro se* on April 5, 2021 (mailbox rule) ("Petition"). The Court, having reviewed the Petition and the record, having consulted the relevant legal authorities, and being otherwise fully advised in the premises, finds and concludes as follows:

1. Defendant seemingly alleges that the Department of Corrections has failed to implement the sentence ordered by this Court on March 10, 2021. Defendant requests that this Court "order DOC to implement [a] corrected sentence post haste [sic]."

2. Defendant seemingly therefore seeks mandamus relief. In order for a trial court to issue a writ of mandamus, a petitioner "must show that he has a clear legal right to the performance of a clear legal duty by a public officer and that he has no other legal remedies available to him." *Hatten v. State*, 561 So.2d 562, 563 (Fla.1990).

3. Accordingly, Defendant's Petition is legally insufficient.

In view of the foregoing findings, the pertinent portions of the record, and applicable law, it is

ORDERED and **ADJUDGED** that Defendant's "Emergency Petition for Quia-Timet Injunction" filed *pro se* on April 5, 2021 (mailbox rule), is treated as a Petition for Writ of Mandamus and is **DISMISSED WITHOUT PREJUDICE**.

DONE and **ORDERED** in Chambers at Tavares, Lake County, Florida this 13th day of May 2021.



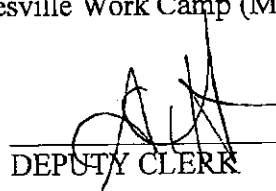
LARRY METZ, CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been served via US Mail/E-Mail/Hand Delivery/Florida Courts E-Filing Portal this 14th day of May 2021, to:

Fifth Judicial Circuit Office of the State Attorney, Lake County

Defendant, Shawn Michael Camper, U39989, Gainesville Work Camp (Male)



DEPUTY CLERK