

IN THE CIRCUIT COURT OF
THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY
STATE OF FLORIDA

ERNIE LEE MAGANA
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL

2010 AUG 26 P 4: 29

APPEALS DIVISION
FILED & RECORDED

STATE OF FLORIDA,

Respondent,

vs.

IVAN HOWARD SILVERSTEIN,

Petitioner.

Cir. Case No.: 10-00009-AP #

Cty. Case No.: 09-TR-019483

Division: C

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

Opinion filed on the 20th day of August, 2010.

Original Jurisdiction

Office of the State Attorney, for Respondent

Ivan Howard Silverstein, *pro se*, for Petitioner

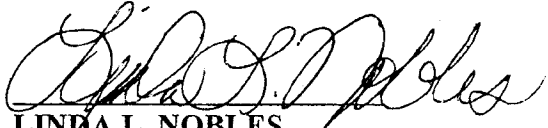
Opinion not final until time expires to file motion for rehearing and disposition thereof if filed.

THIS CAUSE is before the Court on Petitioner's "Notice of Appeal," filed March 16, 2010, regarding the trial court's "Order Denying Defendant's Motion to Dismiss and/or Motion to Discharge Traffic," issued March 8, 2010, by The Honorable Judge Joyce Williams. Because this type of order is not a final, appealable order, the Court will treat the notice of appeal as a petition for writ of prohibition. See Schuty v. State, 281 So. 2d 507 (Fla. 1st DCA 1973).

After full consideration of the petition, the trial court's order, and the relevant legal authority, the Court finds that the petition for writ of prohibition is properly **DENIED**.

DONE AND ORDERED in Chambers at Pensacola, Escambia County, Florida, this

20th day of August, 2010.


LINDA L. NOBLES
CIRCUIT JUDGE

LLN/tgd

Case: 2010 AP 000009



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Dkt: ORD Pg#:

Copies to:

- ~~-~~ Ivan H. Silverstein, DC# 636277, Charlotte Correctional Institution, 33123 Oil Well Rd., Punta Gorda, FL 33955
- ~~-~~ ASA, Office of the State Attorney
- ~~-~~ The Honorable Joyce H. Williams