
PETITION FOR WRIT OF PROHIBITION CHECKLIST

(FLA. R. APP. P. 9.100 (E))

DEFINITION: THE PROCESS BY WHICH A SUPERIOR COURT RESTRAINS THE UNAUTHORIZED USE OF JUDICIAL POWER BY AN INFERIOR TRIBUNAL. IT IS FILED TO PREVENT A LOWER TRIBUNAL FROM THE IMPROPER USE OF JUDICIAL POWER.

DUE:

Can be filed at any time during a proceeding, however must be filed *before* the improper exercise of power that the petitioner complains of.

FORMAT:

- Black ink
- Double spaced
 - Exception: Footnotes and quotations can be single spaced but must be the same sized font as rest of brief.
- One (1) inch margins
- Fifty (50) page limit
- Font -- Times New Roman 14-point or Courier New 12-point.

CONTENT:

- Cover sheet must contain:
 - Name of court
 - Style of cause (i.e., caption):
 - Name of judge or lower tribunal shall be omitted from the caption
 - Name of the petitioner and other parties who are not petitioners shall be named as respondents
- Parties:
 - Judge or the lower tribunal is a formal party to the petition for mandamus, however must be named as such in the body of the petition
- Type of brief
- Name and address of attorney(s) filing the brief
- Basis for Invoking Jurisdiction
- Statement of the Facts
- Nature of Relief Sought
- Argument
- Certificate of Service (Fla. R. App. P. 9.420)
- Certificate of Compliance with Font Requirements (immediately following certificate of service)

CITATIONS:

Follow Fla. R. App. P. 9.800. If the citation form needed is not included, use *The Bluebook or the ALWD Citation Manual*

BINDING:

- Stapled in upper left corner or
- Bound in book form along left side and in a manner that allows to lie flat when opened
- Appendix satisfies requirement of Fla. R. App. P. 9.220. Should include all documents necessary to a resolution of the issues.

ADMIN. ORDERS & RULES

I have reviewed the rules and administrative orders specific to the court in which the brief is to be filed and have verified that I have complied with all rules and requirements promulgated by the court.

FLA.R.APP.P.:

I have reviewed the Florida Rules of Appellate Procedure and have verified that no exception to the general rules set forth in this checklist apply and that I have complied with all rules applicable to the specific facts and circumstances of my appeal.

MAIL:

- DCA: Original + three (3) copies
- Supreme Court: Original + seven (7) copies + copy of brief on DOS formatted 3-1/2 inch diskette in WordPerfect 5.1 (or higher) format compatible in WordPerfect 10 [See Administrative Order In re: Mandatory Submission of Electronic Copies of Documents on Computer Diskette, dated November 13, 2002]
- A copy to all parties included in certificate of service