

Supreme Court of Florida

ORIGINAL

No. 82,496

JACOB WESLEY SCOTT,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[August 25, 1994]

PER CURIAM.

Jacob Wesley Scott petitions this Court for habeas corpus, which we treat as a petition for writ of mandamus. We have jurisdiction. Art. V, § 3(b)(8), Fla. Const. Scott essentially contends that the Florida Control Release Authority, which is coextensive with the Florida Parole Commission, is required to establish a control release date for him under the provisions of section 947.146, Florida Statutes (1993). We find this claim without merit, because section 947.146(3) by its own terms gives the Authority power to establish such a date only for "parole

ineligible" inmates. The bulk of Scott's offenses are parole-eligible, meaning he is not entitled to control release. The petition accordingly is denied.

It is so ordered.

GRIMES, C.J., and OVERTON, SHAW, KOGAN, HARDING and WELLS, JJ., concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

Original Proceeding - Mandamus

Jacob Wesley Scott, pro se, Indiantown, Florida,
for Petitioner

Susan A. Maher, Deputy General Counsel, Department of
Corrections, Tallahassee, Florida,
for Respondent