

Supreme Court of Florida

COPY

RUSSELL CALAMIA,
Petitioner,

vs.

HARRY K. SINGLETARY, JR.,
Respondent.

JEFFREY LYNN HOCK,
Petitioner,

vs.

HARRY K. SINGLETARY, JR.
Respondent.

Nos. 84,088 and 86,182

[May 22, 1997]

ON REMAND FROM THE UNITED
STATES SUPREME COURT

PER CURIAM.

On petition for writ of certiorari, the United States Supreme Court vacated our previous decision in this cause¹ and remanded the case for further consideration in light of its decision in Lynce v. Mathis, 117 S. Ct. 891 (1997). Calamia v. Singletary, 117 S. Ct.

1309 (1997). In view of the holding of Lynce, we grant the petition for writ of habeas corpus of Russell Calamia and the petition for writ of mandamus of Jeffrey Lynn Hock. We direct respondent to reinstate the petitioners' administrative and provisional gain time in accordance with the opinion in Lynce v. Mathis.

It is so ordered.

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

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

Two Consolidated Original Proceedings -
Habeas Corpus and Mandamus

Wendy M. Edmonds and R. Mitchell Prugh of Middleton, Prugh & Anderson, P.A., Melrose, Florida, on behalf of Russell Calamia; and John C. Schaible, Florida Institutional Legal Services, Inc., Gainesville, Florida, on behalf of Jeffrey Lynn Hock,

for Petitioner

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

for Respondent

¹ Calamia v. Singletary, 686 So. 2d 1337 (Fla. 1996).