

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

APPELLATE DIVISION (CRIMINAL): AC  
CASE NO.: 502018AP000040AXXXMB  
L.T. NOS.: 502018MM003642AXXXMB  
502018CT012016AXXXSB

JOHN E. CARTER,  
Petitioner,

v.

STATE OF FLORIDA  
Respondent.

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Opinion filed: **APR 19 2018**

Petition for Writ of Habeas Corpus from the County Court in and for Palm Beach County,  
Judge Marni Bryson.

For Petitioner: Donna Greenspan Solomon, Esq.  
901 South Federal Highway  
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For Respondent: Kristen Clark, Esq.  
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PER CURIAM.

Petitioner John E. Carter was held in direct criminal contempt by the trial court below, sentenced to thirty (30) days in jail, and thereafter filed the instant Emergency Petition for Writ of Habeas Corpus. Respondent State of Florida has since advised this Court that after Petitioner filed his Emergency Petition, but before this Court's order directing Respondent to show cause why the requested relief should not be granted, the trial court vacated its adjudication and

sentence orders, and further directed Petitioner to show cause why he should not be held in indirect criminal contempt. Respondent therefore asserts that the issues raised in the Emergency Petition are now moot. Petitioner argues his Emergency Petition is not moot because the trial court failed to also vacate the order assessing costs and fines that resulted from his adjudication and sentence.

Insofar as the Emergency Petition challenged Petitioner's adjudication and sentence, we agree that those issues are now moot. We also agree with Petitioner, however, that the resulting order assessing costs and fines must fall as well.

Accordingly, we GRANT the Emergency Petition to the extent that the trial court's order assessing costs and fines is hereby QUASHED, but DISMISS the Emergency Petition as moot with regard to the adjudication and sentence orders. With regard to all other relief requested by the parties, we find it inappropriate for this Court to take further action at this time, as any issues pertaining to the indirect contempt proceeding that commenced after the filing of the instant Emergency Petition are not properly before this Court.

It is so ordered.

COLBATH, CARACUZZO, VOLKER, JJ., concur.

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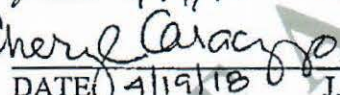

Petition filed: March 28, 2018

DATE OF PANEL: APRIL 19, 2018

PANEL JUDGES: COLBATH, CARACUZZO, VOLKER

GRANTED/DENIED/OTHER: PETITION GRANTED IN PART, DISMISSED IN PART

DECISION BY: PER CURIAM

CONCURRING:	)	DISSENTING:	)	CONCURRING SPECIALLY:	)
	)	With/Without Opinion	)	With/Without Opinion	)
	)	_____	)	_____	)
DATE: 4/19/18 J.	)	J.	)	J.	)
	)	_____	)	_____	)
DATE: 4/19/18 J.	)	J.	)	J.	)
	)	_____	)	_____	)
DATE: 4/19/18 J.	)	J.	)	J.	)