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Scott v. Lee County School Board

District Court of Appeal of Florida, Second District - January 22, 2021 - So.3d - 2021 WL 220811 - 46 Fla. L. Weekly D219

Records requester petitioned for writ of mandamus, alleging that county school board failed to provide documents responsive to records request.

The Circuit Court summarily denied the petition. Requester appealed.

The District Court of Appeal held that requester, whose mandamus petition was facially insufficient, could file a new petition with a copy of his records request attached.

Upon the appellate court's determination that records requester's mandamus petition, to compel county school board to produce records, was facially insufficient absent a copy of his records request, the trial court's order summarily denying the petition would be affirmed without prejudice, thereby allowing the requester to file a new petition, with his records request attached.