

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Florida Commission on Offender Review v. Clarke

No. 1D2024-1093 · No. No. 1D2024-1093 · Decided February 11, 2026

SUMMARY

The First District Court of Appeal of Florida reversed a trial court order granting Melanie Clarke's petition for mandamus relief and directing the Florida Commission on Offender Review to reconsider its decision not to parole her. The court held that Clarke had not demonstrated an abuse of discretion or that the Commission relied on illegal grounds or improper considerations.

CASE DETAILS

|                       |                                                                                                                                                                                                                                |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | First District Court of Appeal of Florida                                                                                                                                                                                      |
| WRITING FOR THE COURT | Lewis, J.; Roberts, J.; Nordby, J.                                                                                                                                                                                             |
| JURISDICTION          | Florida First District Court of Appeal                                                                                                                                                                                         |
| DECIDED               | February 11, 2026                                                                                                                                                                                                              |
| DOCKET                | No. 1D2024-1093                                                                                                                                                                                                                |
| DISPOSITION           | reversed                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE    | The Florida Commission on Offender Review appealed an order of the Leon County Circuit Court granting Melanie Clarke's petition for mandamus relief and directing the Commission to reconsider its decision not to parole her. |
| STANDARD OF REVIEW    | A court may set aside the Commission's parole decision only upon a demonstrated abuse of discretion.                                                                                                                           |
| PRECEDENTIAL VALUE    | precedential                                                                                                                                                                                                                   |
| PARTIES               | Florida Commission on Offender Review v. Melanie Clarke                                                                                                                                                                        |

TOPICS

- judicial review of agency action
- administrative law
- appellate procedure
- remedies
- post-conviction relief

PRACTICE AREAS

- administrative law
- appellate procedure
- parole
- mandamus

QUESTIONS PRESENTED

1. Whether the circuit court erred by finding that the Florida Commission on Offender Review abused its discretion in deciding not to parole Clarke.
2. Whether the circuit court properly directed the Commission to reconsider its parole decision.

#### **HOLDINGS**

1. The circuit court erred in finding that the Commission abused its discretion; a court may set aside the Commission's parole decision only upon a demonstrated abuse of discretion.
2. A trial court may not direct the Commission to reconsider its parole decision absent a showing that the Commission deviated from applicable legal requirements or relied on illegal grounds or improper considerations.

#### **KEY QUOTATIONS**

*“Because we agree with the Commission that the trial court erroneously found that it abused its discretion, we reverse the trial court’s order.”* (slip op. at 1)

#### **FACTUAL BACKGROUND**

The Florida Commission on Offender Review decided not to parole Melanie Clarke. Clarke petitioned the Leon County Circuit Court for mandamus relief, and the trial court ordered the Commission to reconsider its decision. The First District held that the trial court erroneously found an abuse of discretion.

#### **PROCEDURAL HISTORY**

The circuit court found that the Commission abused its discretion in declining to parole Clarke and ordered the Commission to reconsider its decision. The First District Court of Appeal reversed, concluding that the trial court erroneously found an abuse of discretion.

#### **DISPOSITION**

reversed

#### **CASES CITED**

- Thomas v. Fla. Parole Comm'n, 107 So. 3d 517, 518 (Fla. 1st DCA 2013)
- Fla. Parole Comm'n v. Huckelbury, 903 So. 2d 977, 978 (Fla. 1st DCA 2005)

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