

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Florida Department of Corrections v. Paulcin

No. 1D2024-0135 · No. No. 1D2024-0135 · Decided March 12, 2025

SUMMARY

The First District Court of Appeal of Florida reversed a circuit court order granting Prophet Paulcin’s petition for writ of mandamus concerning an alleged due process violation in a prison disciplinary proceeding. The court held that the circuit court failed to consider whether Paulcin was prejudiced by the alleged violation and remanded for further proceedings.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Chief Judge Osterhaus; Judge Lewis; Judge Roberts
JURISDICTION	First District Court of Appeal of Florida
DECIDED	March 12, 2025
DOCKET	No. 1D2024-0135
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The Florida Department of Corrections appealed a circuit court order granting an inmate's petition for writ of mandamus concerning an alleged due process violation in a prison disciplinary proceeding.
STANDARD OF REVIEW	When a prisoner seeks mandamus in circuit court as an appellate remedy to review quasi-judicial prison disciplinary action, the circuit court reviews the agency action like a plenary appeal on the merits. The reviewing court must assess whether an asserted procedural due process error was harmless or prejudicial before overturning the disciplinary result.
PRECEDENTIAL VALUE	published
PARTIES	Florida Department of Corrections v. Prophet Paulcin

TOPICS

- appellate procedure
- harmless error
- writ of certiorari
- agency adjudication
- procedural due process

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the circuit court erred by granting mandamus based on an alleged due process violation in a prison disciplinary proceeding without determining whether the error prejudiced the inmate.
2. Whether the circuit court's review of the prison disciplinary action required an appellate harmless-error or prejudice analysis.

HOLDINGS

1. A circuit court may not overturn a prison disciplinary proceeding on the basis of an alleged procedural due process violation without determining whether the error was harmless or prejudicial.

KEY QUOTATIONS

“Because the trial court failed to consider whether Appellee was prejudiced by what it found to be a due process violation, we reverse the court’s mandamus order and remand for further proceedings.” (at 1)

“when a prisoner files a petition for writ of mandamus in the circuit court as an appellate remedy to review quasi-judicial action of a lower tribunal, namely administrative prison disciplinary action, the circuit court reviews the agency action ‘like a plenary appeal on the merits.’” (at 1)

“In the absence of a recent pattern of violations, . . . it is entirely inappropriate to overturn the outcome of a prison disciplinary proceeding because of a procedural error without making the normal appellate assessment as to whether the error was harmless or prejudicial.” (at 1)

FACTUAL BACKGROUND

Paulcin was found guilty of making spoken threats to a Department employee during a prison disciplinary proceeding. He claimed that the Department violated due process by not providing him with video surveillance of the incident. The Department submitted evidence that the cameras in the relevant area lacked audio capability when the incident occurred, but the circuit court granted mandamus without determining whether Paulcin was prejudiced by the asserted failure to provide or consider the video.

PROCEDURAL HISTORY

Paulcin, an inmate, petitioned the Circuit Court for Leon County for a writ of mandamus, asserting that the Department violated his due process rights under *Wolff v. McDonnell* by failing to provide video surveillance of an incident underlying a disciplinary charge. The circuit court granted the mandamus petition and denied the Department's motion for rehearing without addressing whether Paulcin was prejudiced by the alleged violation. The First District Court of Appeal reversed and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The circuit court must conduct further proceedings addressing whether Paulcin was prejudiced by the alleged due process violation, including the significance of the evidence that the cameras in the relevant area lacked audio capability.

CASES CITED

- Wolff v. McDonnell, 418 U.S. 539 (1974)
- Gardener v. Fla. Dep't of Corr., 178 So. 3d 92, 94 (Fla. 1st DCA 2015)
- Gill v. Crosby, 884 So. 2d 442, 442 (Fla. 1st DCA 2004)
- Lennear v. Wilson, 937 F.3d 257, 278 (4th Cir. 2019)
- Howard v. U.S. Bureau of Prisons, 487 F.3d 808, 813-15 (10th Cir. 2007)
- Piggie v. Cotton, 344 F.3d 674, 679 (7th Cir. 2003)
- Powell v. Coughlin, 953 F.2d 744, 750 (2d Cir. 1991)