

Ross v. Valentik  
Fla.App. 5 Dist.,2005.

Ross v. Valentik  
900 So 2d 752, 30 Fla. L. Weekly D1183

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District Court of Appeal of Florida,Fifth District.  
Donald E. ROSS, etc., Petitioner,

v.

Patricia A. VALENTIK and Kelly Pitman, etc.,  
Respondent.

No. 5D05-389.

May 2, 2005.

Petition for Certiorari Review of Order from the  
Circuit Court for Orange County, Lawrence R.  
Kirkwood, Judge.

James Edward Cheek, III and Lance A. Ragland of  
Winderweedle, Haines, Ward & Woodman, P.A.,  
Winter Park, for Petitioner.

Richard Lee Barrett of Barrett, Chapman & Ruta,  
Orlando, for Respondent, Patricia A. Valentik.

David A. Yergey, Jr., of Yergey and Yergey, P.A.,  
Orlando, for Respondent, Kelly Pitman.

PLEUS, J.

Petitioner, Donald E. Ross, seeks certiorari review of  
the circuit court order temporarily removing him as  
guardian of Peter Schubert and appointing a  
professional guardian.

Certiorari is an extraordinary remedy which cannot  
be used to circumvent the rule limiting interlocutory  
appeals. To be entitled to certiorari review of a non-  
final order, a petitioner must show that the order is a  
departure from the essential requirements of law,  
causing irreparable injury which cannot be  
adequately remedied on plenary appeal. Belair v.  
Drew, 770 So.2d 1164, 1166 (Fla.2000). Petitioner  
has failed to establish any irreparable injury due to  
his temporary removal as guardian. The circuit court  
has already commenced the hearing to determine  
whether petitioner should be permanently removed.  
We expressly decline to address the merits of the  
circuit court's decision to remove petitioner  
temporarily.

PETITION FOR WRIT OF CERTIORARI DENIED.

ORFINGER and THOMPSON, JJ., concur.  
Fla.App. 5 Dist.,2005.