

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2007

THOMAS PERRY WELLS, JR.,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D06-487

[March 7, 2007]

PER CURIAM.

Thomas Perry Wells appeals an order denying his prayer for issuance of a writ of execution against the State of Florida to enforce a cost judgment in his favor in the amount of \$11.40. The cost judgment arose when Wells was the successful party on appeal in a mandamus action against the state.

A sheriff has no authority to levy against public property to satisfy a judgment. *Navarro v. Bouffard*, 522 So. 2d 515, 517 (Fla. 4th DCA 1988). Rather, the sole method of enforcing a judgment against a governmental entity is by way of a mandamus action. *Id.* Thus, the trial court's refusal to issue a writ of execution was proper.

Affirmed.

WARNER, GROSS and TAYLOR, JJ., concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Krista Marx, Judge; L.T. Case No. 95-7559 CFA02.

Thomas Perry Wells, Jr., Perry, Pro Se.

Bill McCollum, Attorney General, Tallahassee, and Claudine M. LaFrance, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing