DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

MUHAMMAD RAHEEM TAQWA EL SUPREME KALIFA,

Appellant,

v.

DEPARTMENT OF CHILDREN AND FAMILIES,

Appellee.

No. 2D2025-1834

October 23, 2026

Appeal from the Circuit Court for DeSoto County; Don Thomas Hall, Judge.

Muhammad Raheem TaQwa El Supreme Kalifa, pro se.

James Uthmeier, Attorney General, Tallahassee, and Lydon William Schultz, Assistant Attorney General, Tampa, for Appellee.

LaROSE, Judge.

Facing alleged threats from fellow detainees, Muhammad Raheem TaQwa El Supreme Kalifa filed a pro se mandamus petition. He asked the trial court to order the Florida Civil Commitment Center (the FCCC) to house him in a dormitory away from his alleged persecutors. The trial court denied the petition.

We have jurisdiction. *See* Fla. R. App. P. 9.030(b)(1)(A). We affirm. Mr. Kalifa failed to demonstrate a clear legal right to his requested relief.

Background

Mr. Kalifa is detained at the FCCC pursuant to the "Jimmy Ryce Act." *See* §§ 394.910-.932, Fla. Stat. (2026).

Mr. Kalifa, pro se, filed a mandamus petition in DeSoto County, where the FCCC is located. He sought "relocat[ion] to Lakes dorm at the [FCCC]" until he is "released from confinement." Elsewhere in his petition, Mr. Kalifa "formally request[ed] to be moved . . . to Dublin dormitory."

Mr. Kalifa alleged that in March 2025 three detainees threatened physical harm if he enters the recreation area. He also alleged that one of the detainees struck him in the face. When he filed his petition, Mr. Kalifa was in confinement. However, he fretted that he would face harm when returned to the general population, after another detainee threatened to "have his husband assault [him]."

Mr. Kalifa also alleged that in April 2025, he was placed in protective management after yet another detainee accused Mr. Kalifa of "stalking the community shower area." This detainee threatened to assault him.

Finally, Mr. Kalifa reported that he and another detainee unsuccessfully tried to engage in consensual sex in Mr. Kalifa's bed. Apparently, word traveled quickly. Mr. Kalifa's roommate's "husband" learned of Mr. Kalifa's antics, confronted Mr. Kalifa about this "disrespectful" behavior, and warned him that "next time[] there will be problems."

Mr. Kalifa's current dormitory shares a recreation area with the dormitories in which his would-be assailants reside. Allegedly, "[t]his places [him] in an unsafe and potentially dangerous situation."

Mr. Kalifa has long "request[ed] to be moved to Dublin dorm, where [he] was originally housed." The FCCC, however, "[has] continued placing [him elsewhere]," allegedly showing deliberate indifference toward his safety.

Mr. Kalifa's petition included several "Resident Communication Form[s]" and "FCCC Resident Grievance[s]" he had submitted to the FCCC. Mr. Kalifa tells us that the FCCC ignored his complaints.[1]

The trial court denied Mr. Kalifa's petition. It found that he "does not have a legal right to placement in the dorm of his choice and his allegations fail to establish an atypical and significant hardship."

Discussion

We review the trial court's order for an abuse of discretion. *See Smith v. State*, 335 So. 3d 795, 798 (Fla. 2d DCA 2022).

To receive mandamus relief, Mr. Kalifa must show that (1) he has "a clear legal right to performance of the requested action," (2) the FCCC "has an indisputable legal duty to perform the requested action," and (3) he "otherwise lacks an adequate legal remedy." *See id.*

Generally, claims that prison staff failed to protect inmates from serious harm are redressable by mandamus. *See Graham v. Vann*, 394 So. 2d 180, 183 (Fla. 1st DCA 1981) ("The appellees have a clear legal

[1] The FCCC responded to each complaint. In short, it advised him that his complaints were "non-compliant to grievance policy" because they sought monetary damages. Further, the FCCC instructed Mr. Kalifa to "[d]iscuss housing with [his] clinical team," and to "[r]eport to staff when you see other residents violating rules," and explained that "[o]ther residents' behavior is not a grievable issue."

right to be confined in an institution where they are free from victimization by other inmates. The Department of Corrections has an equally clear legal duty to provide the appellees with such incarceration. Mandamus will issue to compel the performance of that duty.").

Even if Mr. Kalifa has a clear legal right to be free from serious harm, *see id.*, he fails to demonstrate a clear legal right to a different dormitory at the FCCC,[2] *see Wade v. Daniels*, 36 F.4th 1318, 1323 (11th Cir. 2022) ("A right is clearly established if (1) a case with facts materially similar has been decided by the United States Supreme Court, the Eleventh Circuit, or the applicable state supreme court before the challenged conduct; (2) a broader, clearly established principle controls the facts of the situation; or (3) the conduct so obviously violates the constitution that prior case law is unnecessary."). Particularly noteworthy, "the extraordinary writ of mandamus may not be used to establish the existence of an enforceable right, but rather only to enforce a right already clearly and certainly established in law." *Sancho v. Joanos*, 715 So. 2d 382, 385 (Fla. 1st DCA 1998).

When discussing liability for failure to protect an inmate, federal courts hold that prison officials "must possess enough details about a threat to enable them to conclude that it presents a 'strong likelihood' of injury, not a 'mere possibility.' " *Marbury v. Warden*, 936 F.3d 1227, 1236 (11th Cir. 2019).

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[2] Florida caselaw on this issue is scant. Federal court decisions illuminate our path. Although the cases we cite concern prisons, FCCC detainees possess "significant and substantial liberty interests involved with the involuntary and indefinite detentions." *State v. Goode*, 830 So. 2d 817, 823 (Fla. 2002). Thus, the prison cases we cite inform our analysis of Mr. Kalifa's situation.

The Eleventh Circuit dolefully observed that "[t]he unfortunate reality is that 'threats between inmates are common and do not, under all circumstances, serve to impute actual knowledge of a substantial risk of harm.' " *Id.* (quoting *Prater v. Dahm*, 89 F.3d 538, 542 (8th Cir. 1996)). Accordingly, the Eleventh Circuit has "upheld dismissal of or summary judgment against deliberate-indifference claims where, although a plaintiff told prison officials of a threat by another inmate or inmates, the prison officials were not deliberately indifferent to a *substantial* risk of harm." *Id.*

Mr. Kalifa does not show a "particularized threat" that would enable the FCCC to conclude that he faces a " 'strong likelihood,' rather than a mere possibility of injury." *See Oliver v. Warden*, No. 23-11968, 2025 WL 1178369, at *1, *5 (11th Cir. 2025) ("Oliver's arguments fail because the record lacks evidence that any of the defendants were aware of a 'particularized threat' that would 'enable them to conclude that' Oliver faced a 'strong likelihood,' rather than a 'mere possibility,' of injury." (first quoting *Carter v. Galloway*, 352 F.3d 1346, 1350 (11th Cir. 2003); then quoting *Marbury*, 936 F.3d at 936; and then quoting *Brown v. Hughes*, 894 F.3d 1533, 1537 (11th Cir. 1990))).

Marbury, 936 F.3d at 1231, is helpful. There, an inmate "was attacked by a fellow prisoner after making multiple requests to be transferred to a different dormitory or put in protective lock-up." *Id.* He even wrote to the warden, warning, "I was told by a friend to watch my back, because he got word someone was out to do harm to me." *Id.* at 1232.

The Eleventh Circuit held that a reasonable jury could not conclude that the defendants were aware of a substantial risk of serious harm based on "Marbury's statement that he had heard from a friend

that an unnamed prisoner intended to hurt him, and that he was afraid of being hurt or killed, without any further details." *Id.* at 1236. The court noted that usually further information—"beyond the plaintiff having informed the defendant officers of [a] threat"—is needed for a prison official to conclude "that a particular threat evidenced a substantial threat, rather than the mere possibility, of serious harm." *Id.*

Mr. Kalifa's mandamus petition fares no better. His vague allegations do not evidence a substantial threat of serious harm. *See Woodyard v. Ala. Dep't of Corr.*, 700 F. App'x 927, 933 (11th Cir. 2017) ("Until binding precedent clarifies the circumstances in which threats between inmates *are* sufficient to allow the jury to impute knowledge of such risks to an officer, we cannot say that in the circumstances of this case a refusal to act on a threat . . . amounted to a clearly established constitutional violation."). Thus, he has no entitlement to be moved to his favored dormitory. Regrettably, threats among inmates/civilly committed detainees are endemic to that environment.

We acknowledge that a detainee allegedly hit Mr. Kalifa in the face. However, his petition does not report that he received any kind of medical treatment for this claimed affront. For that matter, his petition does not indicate whether the other detainee was the aggressor. Without more, we do not know the extent of any injury he may have suffered, whether the strike was legally excused, and whether, as a result, and with past as prologue, he faces serious future harm.

Mr. Kalifa complains that despite his repeated requests "to be moved to [Lakes Dorm or] Dublin dorm, where [he] was originally housed," the FCCC has "continued placing [him elsewhere]." Mr. Kalifa frames this "deliberate indifference" as a failure to appease his preferences. We disagree; it may very well reflect the FCCC's continuing

efforts to maintain a secure and orderly institution while protecting him from his alleged antagonists.[3] *Cf. Rasho v. Jeffreys*, 22 F.4th 703, 710 (7th Cir. 2022) (stating that deliberate-indifference claims will fail absent evidence of "callous disregard" for inmate well-being).

Mr. Kalifa's allegations strike us as possibilities of harm, not substantial risks of actual serious harm. Mr. Kalifa's reported conflict with his fellow detainees is not enough to obtain mandamus relief. *See Edwards v. Gilbert*, 867 F.2d 1271, 1273 n.1 (11th Cir. 1989) ("[A] petitioner must allege more than that he has been subjected to 'verbal taunts. . . . [h]owever distressing' in order to make a claim that jailers have violated their duty of protection or deprived the petitioner of his constitutional rights." (second alteration in original) (quoting *Ballard v. Elsea*, 502 F. Supp. 105, 106–07 (W.D. Wis. 1980))).

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[3] Absent more developed allegations, Mr. Kalifa's attempt to secure his choice dorm must yield to institutional order and security:

> The need to curtail potentially violent conduct is an "obligation" incumbent upon the operators of the FCCC. *Washington v. Harper*, 494 U.S. 210, 225 (1990) (stressing that the state has not only an interest, but an obligation, to combat any danger posed by a person to himself or others, especially in an environment, which "by definition is made up of persons with a demonstrated proclivity for antisocial criminal, and often violent, conduct." Consequently, staff at the FCCC are tasked with the arduous responsibility of rendering treatment consistent with the goals of the [Jimmy Ryce] Act while ensuring the safety of not only themselves and other administrative personnel, but of all residents who are confined at the FCCC. The Supreme Court has recognized that the "interest in institutional security" and "internal security" is "paramount." *Hudson v. Palmer*, 468 U.S. 517, 528 (1984).

Morales v. Ellis, No. 2:10–cv–249–FtM–29SPC, 2011 WL 4389600, at *6 (M.D. Fla. Sept. 21, 2011).

Conclusion

The trial court did not abuse its discretion in denying Mr. Kalifa's mandamus petition. Mr. Kalifa failed to establish a clear legal right to be moved to a different dormitory. We affirm the trial court's order.

Affirmed.

KHOUZAM and BLACK, JJ., Concur.

Opinion subject to revision prior to official publication.