

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

LEROY WHITE,  
  
Appellant,

v.

CASE NO. 1D09-6408

DEPARTMENT OF JUVENILE  
JUSTICE and DIVISION OF  
RISK MANAGEMENT,

Appellees.

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Opinion filed March 10, 2010.

An appeal from an order of the Judge of Compensation Claims.  
E. Douglas Spangler, Judge.

Date of Accident: November 12, 2004.

Leroy White, pro se, Appellant.

Kimberly J. Fernandes of Kelley, Kronenberg, Gilmartin, Fichtel, Wander,  
Bamdas, Eskalyo & Dunbrack, P.A., Miami Lakes, for Appellees.

PER CURIAM.

Appellant has failed to respond to this court's order to show cause dated  
December 29, 2009. This court's order specifically warned Appellant: "Failure to  
timely comply with this order may result in the imposition of sanctions, which may

include dismissal of the appeal, without further opportunity to be heard. Florida Rule of Appellate Procedure 9.410.” By notice of appeal filed December 21, 2009, Appellant seeks review of an order rendered June 19, 2007. Accordingly, we DISMISS this appeal for lack of jurisdiction. See § 440.25(5)(a), Fla. Stat. (2006) (providing that orders of judges of compensation claims “shall become final 30 days after mailing of copies of such order to the parties” unless timely appealed); Fla. R. App. P. 9.180(b)(3) (providing this court’s jurisdiction is invoked if notice of appeal is filed within thirty days of rendition of order to be reviewed); see also, e.g., Metellus v. State, 900 So. 2d 491, 495 (Fla. 2005) (noting jurisdictional rule cannot be altered by court or by agreement of parties); Troche v. BJ’s Wholesale Club, Inc., 954 So. 2d 685, 686 (Fla. 1st DCA 2007) (“It is well settled that to be timely, a notice of appeal must be filed in the appropriate court within the appropriate time period.”); Metro. Dade County v. Vasquez, 659 So. 2d 355, 356 (Fla. 1st DCA 1995) (dismissing untimely appeal for lack of jurisdiction). All pending motions are denied as moot.

VAN NORTWICK, LEWIS, and ROWE, JJ., CONCUR.