

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

IVORY MILES, JR.,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D11-6854

Opinion filed April 27, 2012.

An appeal from the Circuit Court of Duval County.
Mallory D. Cooper, Judge.

Ivory Miles, Jr., pro se, Appellant.

Pamela Jo Bondi, Attorney General, and Christine Ann Guard, Senior Assistant
Attorney General, Office of the Attorney General, Tallahassee, for Appellee.

PER CURIAM.

The trial court did not abuse its discretion by denying Appellant's motion for extension of time to file a motion for rehearing and denying the motion for rehearing as untimely. Because the motion for rehearing was untimely, it did not toll the rendition of the final order for purposes of seeking this appeal. Fla. R.

App. P. 9.020(h). This appeal is thus untimely and is DISMISSED. Gary v. State,
5 So. 3d 713 (Fla. 1st DCA 2009).

PADOVANO, ROWE, and MARSTILLER, JJ., CONCUR.