

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2009

DOUGLAS W. KEENE,

Appellant,

v.

Case No. 5D08-2884

STATE OF FLORIDA,

Appellee.

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Opinion filed May 15, 2009

Appeal from the Circuit Court
for Citrus County,
Richard Howard, Judge.

Douglas W. Keene, Bristol, pro se.

Bill McCollum, Attorney General,
Tallahassee, and L. Charlene Matthews,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm the summary denial of Douglas Keene's post-sentencing motion to withdraw his plea. See Powell v. State, 929 So. 2d 54 (Fla. 5th DCA 2006). Our decision to deny Keene's motion is without prejudice to allow him to assert the same or similar issues in a properly pled and timely filed motion for postconviction relief under Florida Rule of Criminal Procedure 3.850.

AFFIRMED.

PALMER, C.J., ORFINGER, J., and PLEUS, JR., R., Senior Judge, concur.