

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT JANUARY TERM 2009

DELROY K. YOUNG,

Appellant,

v.

Case No. 5D08-4081

STATE OF FLORIDA,

Appellee.

Opinion filed February 13, 2009

3.800 Appeal from the Circuit Court
for Volusia County,
Patrick G. Kennedy, Judge.

Delroy K. Young, Jr., Jasper, pro se.

No Appearance for Appellee.

PER CURIAM.

We treat Young's notice of appeal as a petition for belated appeal because the trial court failed to advise Young of the time limit for filing an appeal. *Kelly v. State*, 740 So. 2d 1260 (Fla. 5th DCA 1999). We grant the petition for belated appeal but find that there is no merit to Young's substantive arguments.

Petition for Belated Appeal GRANTED; Order AFFIRMED.

PALMER, CJ., EVANDER and COHEN, JJ., concur.