

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

JANUARY TERM 2010

RODRIGUEZ WEATHERS,

Petitioner,

v.

Case No. 5D09-3875

STATE OF FLORIDA,

Respondent.

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Opinion filed January 22, 2010

Petition for Belated Appeal,
A Case of Original Jurisdiction.

Mark J. O'Brien of O'Brien Bower,
PA, Tampa, for Petitioner.

Bill McCollum, Attorney General,
Tallahassee and Wesley Heidt,
Assistant Attorney General,
Daytona Beach, for Respondent.

PER CURIAM.

The petition for belated appeal is denied. Petitioner has not alleged that his appeal was dismissed due to state action or ineffective assistance of counsel.

Petition for belated appeal DENIED.

MONACO, C.J., TORPY and EVANDER, JJ., concur.