

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

JANUARY TERM 2009

ALPHONSO GAINER,

Appellant,

v.

CASE NO. 5D09-573

STATE OF FLORIDA,

Appellee.

/

Opinion filed June 16, 2009.

3.850 Appeal from the Circuit  
Court for Orange County,  
F. Rand Wallis, Judge.

Alphonso Gainer, Jesup, pro se.

No Appearance for Appellee.

PER CURIAM.

DISMISSED. See *Floyd v. State*, 893 So. 2d 588, 589 (Fla. 1st DCA 2004), *rev. denied*, 908 So. 2d 1057 (Fla. 2005).

TORPY and EVANDER, JJ., and COBB, W., Senior Judge, concur.