

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

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

NICHOLAS TRAVIS ANDERSON,

Appellant,

v.

Case No. 5D14-3974

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed May 22, 2015

Appeal from the Circuit Court
for Orange County,
Tim R. Shea, Judge.

Nicholas Travis Anderson, Indiantown, pro
se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Bonnie Jean Parrish,
Assistant Attorney General, Daytona
Beach, for Appellee.

HARRIS, C. M., Senior Judge.

Appellant's point on appeal, raised in two counts, neither count being more persuasive than the other, is that an assistant state attorney signed the information in this case as opposed to the state attorney himself and, thus, appellant was denied due process of law. This issue was resolved against appellant in *State v. Miller*, 313 So. 2d 656 (Fla. 1975). Further, the issue was not raised at or before trial making it not

cognizable on collateral appeal. See *Smartmays v. State*, 901 So. 2d 278 (Fla. 5th DCA 2005).

AFFIRMED.

ORFINGER and BERGER, JJ., concur.