

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT  
JANUARY TERM 2005

JOHNNY R. BENNETT,

Appellant,

v.

Case No. 5D05-1468

STATE OF FLORIDA,

Appellee.

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Opinion filed July 8, 2005

3.850 Appeal from the Circuit Court  
for Volusia County,  
R. Michael Hutcheson, Judge.

Johnny R. Bennett, Bowling Green, *pro se*.

No Appearance for Appellee.

PER CURIAM.

Bennett appeals from the circuit court's summary denial of his motion filed pursuant to Florida Rule of Criminal Procedure 3.850, seeking post-conviction relief. We affirm because it is clear Bennett's rule 3.850 motion was untimely. It was filed more than two years after his judgment and sentence became final. See Fla. R. Crim. P. 3.850(b). Bennett failed to allege any exceptions to the time limitations provided in the rule.

AFFIRMED.

SHARP, W., PALMER and ORFINGER, JJ., concur.