IN THE DISTRICT COURT OF APPEAL FIRST DISTRICT, STATE OF FLORIDA

WALLACE C. JONES, JR.,

Petitioner,

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

CASE NO. 1D04-4963

v.

STATE OF FLORIDA,

Respondent.

Opinion filed January 19, 2005.

Petition for Writ of Habeas Corpus -- Original Jurisdiction.

Wallace C. Jones, Jr., pro se, petitioner.

Charlie Crist, Attorney General, Tallahassee, for respondent.

PER CURIAM.

The petition for writ of habeas corpus is denied as procedurally barred. <u>See</u>

Denhart v. Dugger, 567 So. 2d 1041 (Fla. 1st DCA 1990).

DAVIS, VAN NORTWICK and HAWKES, JJ., concur.