

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

ARTHUR LEE BATTEN,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D05-2834

Opinion filed August 4, 2005.

Petition Alleging Ineffective Assistance of Appellate Counsel -- Original Jurisdiction.

Arthur Lee Batten, pro se, petitioner.

Charlie Crist, Attorney General, Tallahassee, for respondent.

PER CURIAM.

The petition alleging ineffective assistance of appellate counsel is denied as both successive and procedurally barred. See Fla. R. App. P. 9.141(c)(4)(B); Fla. R. App. P. 9.141(c)(5)(C).

KAHN, C.J., PADOVANO and LEWIS, JJ., concur.