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

GEORGE GIRLEY,

Appellant,

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

v.

CASE NO. 1D05-3980

STATE OF FLORIDA,

Appellee.

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Opinion filed July 6, 2006.

An appeal from the Circuit Court for Leon County. Jonathan E. Sjostrom, Judge.

George Girley, pro se, Appellant.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

This appeal is hereby dismissed for lack of jurisdiction. <u>See Thurston v. State</u>, 812 So. 2d 516 (Fla. 4th DCA 2002) (holding that an order denying a motion for appointment of counsel is not an appealable order under rule 9.140).

BARFIELD, VAN NORTWICK, and LEWIS, JJ., CONCUR.