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

CHARLES HORNE,

Petitioner,

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

v.

CASE NO. 1D05-4584

STATE OF FLORIDA,

Respondent.

Opinion filed December 28, 2005.

Petition for Belated Appeal -- Original Jurisdiction.

Charles Horne, pro se, petitioner.

Charlie Crist, Attorney General, Tallahassee, for respondent.

PER CURIAM.

The petition for belated appeal is denied. <u>See Walker v. State</u>, 863 So. 2d 355 (Fla. 1st DCA 2003). All pending motions are denied as moot.

KAHN, C.J., HAWKES and THOMAS, JJ., concur.