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

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND

DISPOSITION THEREOF IF FILED.

DESMOND PATTERSON,

Appellant,

CASE NO. 1D06-3613

v.

STATE OF FLORIDA,

Appellee.

_____/

Opinion filed September 20, 2006.

An appeal from the Circuit Court for Gadsden County. P. Kevin Davey, Judge.

Desmond Patterson, pro se, Appellant.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

As the notice of appeal was not timely filed, this appeal is hereby dismissed for lack of jurisdiction.

ALLEN, WEBSTER, and DAVIS, JJ., CONCUR.