

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

WALTER NATHANIEL SMITH,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D09-2958

Opinion filed August 28, 2009.

An appeal from the Circuit Court for Duval County.

Walter Nathaniel Smith, pro se, Appellant.

Bill McCollum, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Given the absence of an appealable order, the appeal is DISMISSED for lack of jurisdiction. This disposition is without prejudice to appellant's right to avail himself of such remedies as may exist in the circuit court.

HAWKES, C.J., WOLF and BROWNING, JJ., CONCUR.