

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

ANTHONY M. KOVALESKI,

Petitioner,

v.

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

CASE NO. 1D09-4583

WALTER A. McNEIL, Secretary,
Florida Department of Corrections,

Respondent.

_____ /

Opinion filed December 8, 2009.

Petition for Writ of Mandamus -- Original Jurisdiction.

Anthony M. Kovaleski, pro se, Petitioner.

No appearance for Respondent.

PER CURIAM.

Petitioner did not timely appeal the order which dismissed his circuit court petition. The petition for writ of mandamus is therefore denied. See Pacha v. Salfi, 381 So. 2d 373 (Fla. 5th DCA 1980).

WOLF, VAN NORTWICK, and ROBERTS, JJ., CONCUR.