

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

SIDNEY MARTS,

Petitioner,

v.

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

CASE NO. 1D09-4974

STATE OF FLORIDA,

Respondent.

Opinion filed October 27, 2009.

Petition Alleging Ineffective Assistance of Appellate Counsel -- Original
Jurisdiction.

Sidney Marts, pro se, Petitioner.

Bill McCollum, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition alleging ineffective assistance of appellate counsel is denied as
premature. See Johnson v. State, 871 So. 2d 294 (Fla. 1st DCA 2004).

KAHN, BENTON, and CLARK, JJ., CONCUR.