

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

VENNIS SMITH,

Petitioner,

v.

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

CASE NO. 1D09-5284

STATE OF FLORIDA,

Respondent.

Opinion filed November 13, 2009.

Petition for Belated Appeal -- Original Jurisdiction.

Vennis Smith, pro se, Petitioner.

Bill McCollum, Attorney General, and Mark J. Hiers, Assistant Attorney General,
Tallahassee, for Respondent.

PER CURIAM.

DENIED. See Powell v. Fla. Dep't of Corr., 727 So. 2d 1103 (Fla. 1st DCA
1999) (holding that where the proceedings below are civil in nature, the provisions
of Florida Rule of Appellate Procedure 9.141 are not applicable).

VAN NORTWICK, PADOVANO, JJ., and BROWNING, JR., EDWIN B.,
SENIOR JUDGE, CONCUR.