

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

ROCKY M. THOMAS,

Appellant,

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

v.

CASE NO. 1D11-2919

STATE OF FLORIDA, and
EDWIN G. BUSS,
SECRETARY, DEPARTMENT
OF CORRECTIONS,

Appellees.

Opinion filed August 23, 2011.

An appeal from the Circuit Court for Wakulla County.
N. Sanders Sauls, Judge.

Rocky M. Thomas, pro se, Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellees.

PER CURIAM.

Because the appellant's notice of appeal was filed more than 30 days after rendition of the order on appeal, the appeal is hereby dismissed as untimely. See

Fla. R. App. P. 9.110(b); Miami-Dade County v. Peart, 843 So. 2d 363 (Fla. 3d DCA 2003). The dismissal is without prejudice to the appellant's right to seek reinstatement of case number 1D11-2669.

HAWKES, CLARK, and SWANSON, JJ., CONCUR.