

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

ADAM BARNES,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D12-2451

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Opinion filed October 3, 2012.

An appeal from the Circuit Court for Escambia County.  
Jan Shackelford, Judge.

Nancy A. Daniels, Public Defender, and Steven L. Seliger, Assistant Public  
Defender, Tallahassee, for Appellant.

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

PER CURIAM.

To the extent that appellant seeks review of the Judgment and Sentence, the  
appeal is untimely. Fla. R. App. P. 9.140(b)(3); Winslow v. State, 37 So. 3d 974

(Fla. 1st DCA 2010). To the extent that appellant seeks review of the order denying his motion to modify sentence, the order is not appealable. Winslow, 37 So. 3d at 975. Appellee's Motion to Dismiss Appeal, filed August 25, 2012, is denied as moot.

DISMISSED.

PADOVANO, THOMAS, and CLARK, JJ., CONCUR.