

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

OTHA ABNEY,

Petitioner,

v.

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

CASE NO. 1D12-2572

KENNETH S. TUCKER,
SECRETARY, FLORIDA
DEPARTMENT OF
CORRECTIONS,

Respondent.

Opinion filed July 9, 2012.

Petition for Writ of Habeas Corpus -- Original Jurisdiction.

Otha Abney, pro se, Petitioner.

No appearance for Respondent.

PER CURIAM.

DISMISSED. See Baker v. State, 878 So. 2d 1236 (Fla. 2004) (reiterating that habeas corpus is not available to obtain collateral postconviction relief available by motion in the sentencing court pursuant to rule 3.850).

WOLF, LEWIS, and THOMAS, JJ., CONCUR.