

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2007*

**BARRY E. CLAYTON,**  
Appellant,

v.

**JAMES R. McDONOUGH,** Secretary, Department of Corrections, and  
**FLORIDA PAROLE COMMISSION,**  
Appellees.

No. 4D06-1750

[May 2, 2007]

PER CURIAM.

*Affirmed*, without prejudice to appellant asserting a claim pursuant to  
*Gomez v. Singletary*, 733 So. 2d 499 (Fla. 1998).

WARNER, POLEN and HAZOURI, JJ., CONCUR.

\* \* \*

Appeal from the Circuit Court for the Nineteenth Judicial Circuit,  
Okeechobee County; William L. Roby, Judge; L.T. Case No. 2005CA324.

Barry E. Clayton, Miami, pro se.

Holly N. Simcox, Tallahassee, for appellee.

***Not final until disposition of timely filed motion for rehearing.***