

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2008*

**JOSEPH CARRUTHERS,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D06-3209

[January 16, 2008]

PER CURIAM.

Affirmed. In this appeal pursuant to *Anders*,<sup>1</sup> Defendant's pro se briefs raise issues of involuntary plea which were not preserved for appeal by his pro se rule 3.170(l) motion to withdraw plea. This affirmance is without prejudice to his right to assert them in a timely and sufficient rule 3.850 motion for postconviction relief.

SHAHOOD, C.J., GROSS and MAY, JJ., concur.

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Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Joel T. Lazarus, Judge; L.T. Case No. 02-15135 CF10A.

Carey Haughwout, Public Defender, Margaret Good-Earnest and John Pauly, Jr., Assistant Public Defenders, West Palm Beach, and Joseph Caruthers, Sanderson, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Sue-Ellen Kenny, Assistant Attorney General, West Palm Beach, for appellee.

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

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<sup>1</sup> *Anders v. California*, 386 U.S. 738 (1967).