DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT July Term 2010

STEVENS S. ARNOUX,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

No. 4D09-2839

[October 20, 2010]

PER CURIAM.

We affirm without prejudice to appellant filing a timely motion for relief pursuant to Florida Rule of Criminal Procedure 3.850.

WARNER, POLEN and LEVINE, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Dale C. Cohen, Judge; L.T. Case No. 08-024596 CF10A.

Eileen I. Landy of Michael B. Cohen, P.A., Fort Lauderdale, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Don M. Rogers, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.