

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

**RICHARD ROTH,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D10-1882

[December 8, 2010]

PER CURIAM.

We treat this case as an appeal from the denial of a rule 3.850 motion and affirm.

*Affirmed.*

GROSS, C.J., POLEN and GERBER, JJ., concur.

\* \* \*

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Jeffrey R. Levenson, Judge; L.T. Case No. 04-8526 CF10A.

Richard Roth, Raiford, pro se.

No appearance required for appellee.

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