

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2003

DANTRELL DEON RILEY,

Petitioner,

v.

CASE NO. 5D03-3808

STATE OF FLORIDA,

Respondent.

Opinion filed January 9, 2004.

Petition for Belated Appeal,
A Case of Original Jurisdiction.

Dantrell Deon Riley, Sneads,
pro se.

No Appearance for Respondent.

PER CURIAM.

The petition for belated appeal is facially insufficient because it was not made under oath. See Fla. R. App. P. 9.141(c)(3)(F). Therefore, the petition is denied without prejudice for the petitioner to refile a proper sworn petition. See Ezell v. State, 778 So. 2d 1071 (Fla. 5th DCA 2001); Harris v. State, 769 So. 2d 529 (Fla. 5th DCA 2000); Hall v. State, 746 So. 2d 544 (Fla. 5th DCA 1999).

Petition DENIED without PREJUDICE.

THOMPSON, PALMER, and ORFINGER, JJ., concur.