

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

JULY TERM 2005

RAYNALDO LEMON,

Appellant,

v.

Case No. 5D05-346

STATE OF FLORIDA,

Appellee.

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Opinion filed October 28, 2005

Appeal from the Circuit Court
for Lake County,
William T. Swigert, Judge.

James S. Purdy, Public Defender, and
Kevin R. Holtz, Assistant Public Defender,
Daytona Beach, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Allison Leigh Morris,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

This is an appeal from a judgment and sentence entered by the trial court after the appellant, Raynaldo Lemon, pled guilty to a violation of the sexual offender registration law. Mr. Lemon has not moved to withdraw his plea, and may not, therefore, bring this direct appeal. See § 924.06(3), Fla. Stat. (2005); Fla. R. App. P. 9.140(b)(2)(A)(ii). See also *Eisaman v. State*, 440 So. 2d 470 (Fla. 5th DCA 1983).

Accordingly, we dismiss this appeal. Because of the peculiar circumstances of this case, however, we do so without prejudice in order to allow Mr. Lemon to have an opportunity to seek leave of the trial court to withdraw his guilty plea.

DISMISSED.

SAWAYA, PALMER and MONACO, JJ., concur.