

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

GEORGE M. DANIELS,

Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D03-3605

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed October 22, 2003.

An appeal from the Circuit Court for Duval County.

Lance M. Day, Judge.

Appellant, pro se.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of September 10, 2003, the Court has determined that the notice of appeal was not timely filed because the motion for rehearing was not filed within fifteen days of the date of service of the trial court's order. Accordingly, the appeal is hereby dismissed.

DISMISSED.

ALLEN, DAVIS and BENTON, JJ., CONCUR.