

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

ALEXIS R. COLE,

Petitioner,

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

v.

CASE NO. 1D03-3890

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed December 12, 2003.

Petition for Writ of Certiorari - Original Jurisdiction.

Petitioner, pro se.

Charlie Crist, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petitioner filed a motion in the trial court pursuant to Florida Rule of Criminal Procedure 3.800(c). The trial court denied the motion as untimely. We treat the petitioner's notice of appeal as a petition for certiorari and deny the petition. See Davis v. State, 745 So. 2d 499 (Fla. 1st DCA 1999).

KAHN, BENTON, and VAN NORTWICK, JJ., CONCUR.