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

CLYDE TAUFEEQ ALEEM,

Appellant,

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

CASE NO. 1D04-3924

v.

STATE OF FLORIDA,

Appellee.

Opinion filed December 3, 2004.

An appeal from an order of the Circuit Court for Escambia County. Jan Shackelford, Judge.

Clyde Taufeeq Aleem, pro se, appellant.

Charlie Crist, Attorney General, Tallahassee, for appellee.

PER CURIAM.

Because the notice of appeal was not timely filed, this appeal is hereby dismissed without prejudice to petitioner's right to seek belated appeal. <u>Proctor v.</u> <u>State</u>, 845 So. 2d 1007 (Fla. 5th DCA 2003).

ERVIN, BARFIELD and KAHN, JJ., concur.