

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

JOHN EDWARD PARKER,

Appellant,

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

v.

CASE NO. 1D04-5003

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed February 15, 2005.

An appeal from the Circuit Court for Escambia County.
John P. Kuder, Judge.

Appellant, pro se.

Charlie Crist, Jr., Attorney General; Daniel A. David, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

Having considered the appellant's response to this Court's order, dated December 13, 2004, we dismiss this appeal for lack of jurisdiction. The notice of appeal filed on November 9, 2004, appealing the Order on the appellant's postconviction motion, entered on September 8, 2004, is untimely. Because the notice

of appeal was filed more than 30 days after rendition of the order, this Court is without appellate jurisdiction. See Fla. R. App. P. 9.110(b).

DISMISSED.

BARFIELD, WEBSTER and DAVIS, JJ., CONCUR.