

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

JAMES EUGENE RICHARDSON, SR.,

Appellant,

v.

FLORIDA PAROLE COMMISSION,

Appellee.

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

CASE NO. 1D04-5072

Opinion filed January 28, 2005.

An appeal from an order of the Circuit Court for Gulf County.  
Judy M. Pittman, Judge.

James Eugene Richardson, Sr., pro se, appellant.

No appearance for appellee.

PER CURIAM.

Because the notice of appeal was not timely filed, the appeal is hereby dismissed for lack of jurisdiction. This dismissal is without prejudice to appellant's right to seek relief in the trial court. See Brown v. State, 708 So. 2d 1041 (Fla. 1st DCA 1998); Snelson v. Snelson, 440 So. 2d 477 (Fla. 5th DCA 1983).

BENTON, LEWIS and THOMAS, JJ., concur.