

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

KEVIN L. PRIM,
Petitioner,

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

v.

CASE NO. 1D06-6312

STATE OF FLORIDA,
Respondent.

_____ /

Opinion filed May 21, 2007.

Petition for Writ of Certiorari - Original Jurisdiction.

Kevin L. Prim, pro se, Petitioner.

Bill McCollum, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

Petitioner filed a motion to modify his sentence 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 Platt v. State, 890 So. 2d 502 (Fla. 1st DCA 2004); Davis v. State, 745 So. 2d 499 (Fla. 1st DCA 1999).

BENTON, PADOVANO, and THOMAS, JJ., CONCUR.