

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

DALE R. PHELPS,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D06-6455

Opinion filed March 28, 2007.

Petition for Belated Appeal -- Original Jurisdiction.

Dale R. Phelps, pro se, Petitioner.

Bill McCollum, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition for belated appeal is denied. The court notes that petitioner has a pending appeal on the denial of his motion for postconviction relief in case number 1D06-4387.

BARFIELD, WOLF, and VAN NORTWICK, JJ., CONCUR.