

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

RANDOLPH S. PHILLIPS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

---

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

CASE NO. 1D07-1591

Opinion filed June 5, 2007.

An appeal from the Circuit Court for Alachua County.  
Frederick D. Smith, Judge.

Randolph S. Phillips, pro se, Appellant.

Bill McCollum, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of April 9, 2007, the Court has determined that the appellant has failed to demonstrate that the notice of appeal was timely filed. Accordingly, the appeal is hereby dismissed as untimely.

WOLF, DAVIS, and THOMAS, JJ., CONCUR.