

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

DAVID L. DALE, JR.,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D07-3241

Opinion filed July 31, 2007.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Jack Behr, Public Defender, First Judicial Circuit, and Alice F. Harris, Assistant
Public Defender, Pensacola, for Petitioner.

Bill McCollum, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

This petition for belated appeal alleges that petitioner requested an appeal of his
April 13, 2007, sentence by a letter to counsel dated June 14, 2007. Because

petitioner's request for appeal was made more than 30 days after rendition of the judgment and sentence, the petition for belated appeal is denied. See Fla. R. App. P. 9.110(b); cf. State v. Trowell, 739 So. 2d 77, 81 (Fla. 1999) (holding that an appellate court should grant a petition seeking a belated appeal if the defendant alleges that a timely request of counsel to file the notice of appeal was made and that counsel failed to do so).

PETITION DENIED.

BARFIELD, ALLEN, and HAWKES, JJ., CONCUR.