

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

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

ROBERT PETTWAY,

Appellant,

v.

CASE NO. 1D08-1002

STATE OF FLORIDA,

Appellee.

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Opinion filed June 10, 2008.

An appeal from Circuit Court for Escambia County.

Linda L. Nobles, Judge.

Robert Pettway, pro se, Appellant.

Bill McCollum, Attorney General, and Philip W. Edwards, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

Having considered the appellant's response to this Court's April 24, 2008,  
order, the Court has determined that the appellant has failed to demonstrate that the  
order denying his motion for extension of time to seek rehearing of the order denying

his petition for leave to file a belated rule 3.850 motion is a final order or otherwise appealable nonfinal order. Rehearing from an order denying a motion seeking an extension of time to file a rule 3.850 motion is not authorized. See Quarterman v. State, 876 So. 2d 7 (Fla. 1st DCA 2004). Therefore, it follows that a motion for an extension of time to file an unauthorized motion is also unauthorized under Florida Rule of Appellate Procedure 9.130(a)(4). For this reason, the appeal is hereby DISMISSED.

WEBSTER, DAVIS, and HAWKES, JJ., CONCUR.