

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

MICHAEL PREVATT,

Petitioner,

v.

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

CASE NO. 1D17-2734

STATE OF FLORIDA,

Respondent.

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Opinion filed December 7, 2017.

Petition for Belated Appeal -- Original Jurisdiction.

Elizabeth J. Johnson of Halscott Megaro, P.A., Orlando, for Petitioner.

Pamela Jo Bondi, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

Petitioner entered a no contest plea to the charges of aggravated battery with great bodily harm and tampering with a witness. After sentencing, Petitioner attempted to withdraw his plea but his motion was denied. Petitioner alleges he requested his

prior attorney to file a notice of appeal sometime before December 25, 2016. The deadline to file a notice of appeal was December 21, 2016. Because Petitioner's undisputed allegation does not establish that he requested counsel to file a notice of appeal before the deadline, the petition for belated appeal is denied on the merits.

RAY, BILBREY, and WINSOR, JJ., CONCUR.