

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2007

KEVIN ANDERSON,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D06-2671

[August 1, 2007]

PER CURIAM.

Kevin Anderson entered a plea of no contest to perjury in an official proceeding and was sentenced to 30 months in prison followed by six months of probation. In this appeal, Anderson attacks his sentence because the criminal charges arose “from a proceeding that violated his due process rights.”

This court does not have jurisdiction to review this issue because Anderson failed to file a motion to withdraw plea in the trial court, and instead filed this direct appeal. *See Lloyd v. State*, 876 So. 2d 1227, 1228 (Fla. 4th DCA 2004); *Oliver v. State*, 899 So. 2d 1195, 1197 (Fla. 5th DCA 2005); *Carter v. State*, 791 So. 2d 525, 526-27 (Fla. 1st DCA 2001); *Keith v. State*, 582 So. 2d 1200 (Fla. 1st DCA 1991); *Harris v. State*, 563 So. 2d 792 (Fla. 1st DCA 1990); *Jones v. State*, 468 So. 2d 253 (Fla. 2d DCA 1985); *Skinner v. State*, 399 So. 2d 1064 (Fla. 5th DCA 1981); *see also Leonard v. State*, 760 So. 2d 114 (Fla. 2000).

The appeal is affirmed.

STONE, POLEN and GROSS, JJ., concur.

* * *

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Larry Schack, Judge; L.T. Case No. 05-1128CFMA.

Paul S. Reed of Catania & Catania, P.A., Tampa, for appellant.

Bill McCollum, Attorney General, Tallahassee, and James J. Carney, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing