

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2006*

**WILLIE ROBINSON,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D06-3841

[November 15, 2006]

PER CURIAM.

*Affirmed.* Appellant's motion for postconviction relief was untimely and successive. In addition, his claim based upon *Roberts v. State*, 874 So. 2d 1225 (Fla. 4th DCA 2004), *rev. denied sub nom. State v. West*, 892 So. 2d 1014 (Fla. 2005), is also barred, as *Roberts* does not apply retroactively. See *Ulcena v. State*, 925 So. 2d 346 (Fla. 4th DCA 2006).

WARNER, FARMER and MAY, JJ., concur.

\* \* \*

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ana I. Gardiner, Judge; L.T. Case No. 96-21095 CF10A.

Willie Robinson, Florida City, pro se.

No appearance required for appellee.

***Not final until disposition of timely filed motion for rehearing.***