

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2011

DONALD BAKER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-4895

[June 15, 2011]

PER CURIAM.

Affirmed. Further, we modify our order of September 9, 2009, which denied appellant's coram vobis petition "without prejudice to refile after the present appeal is disposed of." The petition is herein simply denied. A petition for coram vobis once could be used to collaterally challenge a conviction in appellate court for which petitioner was no longer in custody. Coram vobis relief (brought in appellate court) and coram nobis relief (brought in trial court) are no longer necessary or available in Florida. Rule 3.850 has supplanted both coram nobis and coram vobis. *See Wood v. State*, 750 So. 2d 592, 594 (Fla. 1999); *see also Bates v. State*, 887 So. 2d 1214, 1217 (Fla. 2004).

POLEN, STEVENSON and HAZOURI, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael L. Gates, Judge; L.T. Case No. 03-06863 CF10A.

Donald Baker, Hollywood, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and Laura Fisher, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.