

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2010

JOHNNY ROMERO,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D10-862

[December 22, 2010]

PER CURIAM.

Affirmed without prejudice to the appellant filing a sufficient motion under Florida Rule of Criminal Procedure 3.800(a) on the new ground for relief raised in the appellant's motion for rehearing from his first motion, i.e., that the trial court failed to orally adjudicate appellant a habitual offender.

WARNER, FARMER and CIKLIN, JJ., concur.

* * *

Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Geoffrey D. Cohen, Judge; L.T. Case No. 06-7512 CF10A.

Johnny Romero, Lake City, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.