

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

MARZUQ AL-HAKIM, )  
DOC #839504, )  
 )  
Appellant, )  
 )  
v. )  
 )  
STATE OF FLORIDA, )  
 )  
Appellee. )  
 )  
 )  
\_\_\_\_\_ )

Case Nos. 2D05-3088  
2D05-4760

CONSOLIDATED

Opinion filed December 9, 2005.

Appeal pursuant to Fla. R. App. P.  
9.141(b)(2) from the Circuit Court for  
Hillsborough County; Denise A.  
Pomponio, Judge.

PER CURIAM.

Affirmed. See Ortiz v. State, 768 So. 2d 1177, 1177 (Fla. 2d DCA  
2000); Moore v. State, 910 So. 2d 947, 947 (Fla. 5th DCA 2005). Our affirmance  
is without prejudice to any right Marzuq Al-Hakim might have to file a timely and  
properly sworn motion for postconviction relief pursuant to Florida Rule of

Criminal Procedure 3.850 following the disposition of his direct appeal in Al-Hakim v. State, No. 2D05-584 (Fla. 2d DCA Nov. 16, 2005).

STRINGER, VILLANTI, and LaROSE, JJ., Concur.