

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JAY ALAN MYERS,)	
)	
Appellant,)	
)	
v.)	Case No. 2D07-892
)	
SHERRIE MAAS,)	
)	
Appellee.)	
_____)	

Opinion filed December 31, 2008.

Appeal from the Circuit Court
for Charlotte County; Donald
E. Pellecchia, Judge.

Jay Alan Myers, pro se.

No appearance for Appellee.

PER CURIAM.

Jay Alan Myers failed to timely respond to an order by the circuit court, and as warned in the court's order, his case was dismissed. In response to the dismissal, Myers filed a letter and response that is properly characterized as a motion for relief from judgment under Florida Rule of Civil Procedure 1.540. Myers must pursue relief in the circuit court under rule 1.540.

Affirmed.

NORTHCUTT, C.J., and FULMER and KHOUZAM, JJ., Concur.