

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

GAVIN M. RILEY,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D08-3248

Opinion filed June 26, 2009.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Sarasota County; Rick A. DeFuria, Judge.

PER CURIAM.

Affirmed without prejudice to any right Mr. Riley may have to file a timely
motion for postconviction relief pursuant to Florida Rule of Criminal Procedure 3.850.

ALTENBERND, FULMER, and VILLANTI, JJ., Concur.