

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

JOSE FERNANDO AGUIR ROSARIO,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 2D03-4891
	)	
STATE OF FLORIDA,	)	
	)	
Appellee.	)	
_____	)	

Opinion filed November 17, 2004.

Appeal from the Circuit Court for  
Pasco County; Daniel D. Diskey, Judge.

James Marion Moorman, Public Defender,  
and Bruce P. Taylor, Assistant Public  
Defender, Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Anne Sheer Weiner,  
Assistant Attorney General, Tampa,  
for Appellee.

PER CURIAM.

Jose Rosario appeals his convictions for battery and false imprisonment.

We affirm without prejudice to any right Rosario may have to file a timely, legally  
sufficient motion for postconviction relief in the trial court.

Affirmed.

FULMER and SILBERMAN, JJ., and DAKAN, STEPHEN L., ASSOCIATE SENIOR  
JUDGE, Concur.