

Third District Court of Appeal

State of Florida

Opinion filed December 23, 2015.
Not final until disposition of timely filed motion for rehearing.

No. 3D15-915
Lower Tribunal No. 07-39012

Patrick Lively,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.315(a) from the Circuit Court for Miami-Dade County, Jorge Rodriguez-Chomat, Judge.

Patrick Lively, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before WELLS, FERNANDEZ and SCALES, JJ.

WELLS, Judge.

Patrick Lively appeals from an order denying his pro se motion, made within two years after his conviction and sentence were affirmed by this court, to dismiss

the information against him. While not included in a Florida Rule of Criminal Procedure 3.850 motion, we treat the motion to dismiss as such because there is no other mechanism by which the court below, and thus this court, could address it. Treating it as such, we affirm the order on appeal denying Lively's motion.