

# **Third District Court of Appeal**

## **State of Florida**

Opinion filed November 13, 2019.  
Not final until disposition of timely filed motion for rehearing.

---

No. 3D19-1199  
Lower Tribunal No. 07-12753

---

**John Bellevue,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Alberto Milian, Judge.

John Bellevue, in proper person.

Ashley Moody, Attorney General, for appellee.

Before EMAS, C.J., and SALTER and LOBREE, JJ.

PER CURIAM.

Affirmed. See Fla. R. Crim. P. 3.850(b)(1) (providing that a claim of newly-discovered evidence must be made “within 2 years of the time the new facts were or could have been discovered with the exercise of due diligence”); Delgado v. State, No. 3D19-1557, 2019 WL 5406489 (Fla. 3d DCA October 23, 2019) (holding that defendant’s postconviction motion was time-barred because he failed to file it within two years of his alleged discovery of the existence of an unconveyed plea offer).