

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION  
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2001

GYLIER THOMAS,

\*\*

Appellant,

\*\*

vs.

\*\*

CASE NO. 3D01-1276

THE STATE OF FLORIDA,

\*\*

LOWER

TRIBUNAL NO. 97-19558

Appellee.

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Opinion filed August 22, 2001.

An appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit  
Court for Dade County, Maria Espinosa Dennis, Judge.

Gylier Thomas, in proper person.

Robert A. Butterworth, Attorney General, for appellee.

Before COPE, and GERSTEN, JJ., and NESBITT, Senior Judge.

PER CURIAM.

Thomas Gylier appeals an order denying his motion for  
postconviction relief. We have taken judicial notice of this  
court's file in Thomas v. State, 747 So. 2d 944 (Fla. 3d DCA

1999), including the trial transcript. Having done so, we conclude that the motion for postconviction relief was properly denied.

Affirmed.