

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

ALBERTO SOLER,

**

Appellant,

**

vs.

**

CASE NO. 3D01-2818

THE STATE OF FLORIDA,

**

LOWER

Appellee.

**

TRIBUNAL NO. 90-3448

Opinion filed November 14, 2001.

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

Alberto Soler, in proper person.

Robert A. Butterworth, Attorney General, for appellee.

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

PER CURIAM.

Alberto Soler appeals an order denying his petition for writ
of error coram nobis. This is properly viewed as being a motion
for postconviction relief under Florida Rule of Criminal Procedure
3.850. Wood v. State, 750 So. 2d 592 (Fla. 1999).

We agree with the trial court that the petition is untimely filed. Defendant-appellant Soler is seeking relief from a conviction incurred in 1990. The Wood decision created a two-year window for such claims, which expired May 27, 2001. Id. at 595.

Defendant filed his petition several months after the Wood window closed. Accordingly the trial court was entirely correct in ruling that the petition is time-barred.

Affirmed.