

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2003

BERNARD GRAHAM,

**

Appellant,

**

vs.

**

CASE NO. 3D03-1024

LOWER TRIBUNAL NO. 99-32559

THE STATE OF FLORIDA,

**

Appellee.

**

Opinion filed May 28, 2003

An appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit
Court for Dade County, Florida, Kevin Emas, Judge.

Bernard Graham, in proper person.

Charles J. Crist, Jr., Attorney General, for appellee.

Before LEVY, RAMIREZ, and WELLS, JJ.

PER CURIAM.

As the merits of an order denying a motion to mitigate
sentence under Florida Rule of Criminal Procedure 3.800(c) are not
subject to appellate review, the appeal is dismissed. See Lewis v.
State, 778 So. 2d 537 (Fla. 3d DCA 2001).