

Third District Court of Appeal
State of Florida, July Term, A.D. 2012

Opinion filed November 7, 2012.
Not final until disposition of timely filed motion for rehearing.

No. 3D12-2570
Lower Tribunal No. 07-7524-B

Raymond Baker,
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, Rosa Rodriguez and Dava J. Tunis, Judges.

Raymond Baker, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before SALTER and EMAS, JJ., SCHWARTZ, Senior Judge.

PER CURIAM.

Raymond Baker appeals an order summarily denying his motion to correct an illegal sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(a). After Baker filed his notice of appeal, the trial court entered an order denying a motion for rehearing or reconsideration. We affirm, without comment, the trial court's denial of Baker's Rule 3.800 motion. However, we note that Baker's motion for rehearing and the trial court's denial of that motion are nullities. The order denying the motion for rehearing was entered without jurisdiction as Baker abandoned his motion when he filed the notice of appeal. See, e.g., *Southers v. State*, 961 So. 2d 992 (Fla. 2d DCA 2007); see also *In re: Forfeiture of \$104,591 in U.S. Currency*, 589 So. 2d 283 (Fla. 1991); *Loeb v. State*, 387 So. 2d 433, 435 (Fla. 3d DCA 1980) (recognizing that it is well established that the filing of a notice of appeal vests the appellate court with complete and exclusive jurisdiction).

Affirmed.