

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

JULY TERM 2003

JAMIE AGUIRRE,

Appellant,

v.

CASE NO. 5D03-1731

STATE OF FLORIDA,

Appellee.

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Opinion filed August 22, 2003

3.800 Appeal from the Circuit Court  
for Orange County,  
Reginald Whitehead, Judge.

Jamie Aguirre, Raiford, *pro se*.

No Appearance for Appellee.

SHARP, W., J.,

Aguirre appeals from the circuit court's order summarily denying his motion filed pursuant to Florida Rule of Criminal Procedure 3.800(a), seeking post-conviction relief. The appeal was filed more than thirty days after rendition of the order sought to be appealed and Aguirre failed to respond to this court's order to show cause why the appeal should not be dismissed for lack of jurisdiction. *See Fla. R. App. P. 9.110(b)*.

Accordingly, we dismiss this cause without prejudice to Aguirre's filing a petition for a belated appeal in compliance with Florida Rule of Appellate Procedure 9.141(c). *See, e.g., Adams v. State*, 801

So. 2d 145 (Fla. 1st DCA 2001); *Broxson v. State*, 782 So. 2d 528 (Fla. 1st DCA 2001).

DISMISSED without prejudice.

PALMER and TORPY, JJ., concur.