

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed April 29, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D09-752

Lower Tribunal No. 97-013409

Jose A. Diaz,
Petitioner,

vs.

The State of Florida,
Respondent.

A case of original jurisdiction—habeas corpus.

Jose A. Diaz, in proper person.

Bill McCollum, Attorney General, for respondent.

Before GERSTEN, C.J., and COPE and SUAREZ, JJ.

SUAREZ, J.

We deny Jose A. Diaz's petition for writ of habeas corpus alleging ineffective assistance of appellate counsel. See McCray v. State, 699 So. 2d 1366 (Fla. 1997); Melara v. State, 997 So. 2d 1135 (Fla. 3d DCA 2008); Partridge v.

Moore, 768 So. 2d 1128 (Fla. 1st DCA 2000).

Petition denied.