

Third District Court of Appeal

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

Opinion filed December 23, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D09-3106

Lower Tribunal No. 95-17201

Earl Murray,
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, John W. Thornton, Judge.

Earl Murray, in proper person.

Bill McCollum, Attorney General, for appellee.

Before WELLS and SHEPHERD, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Earl Murray seeks certiorari review in this Court of a trial court order treating Defendant's "Motion for Writ of Error Coram Nobis 3.800(A) of Lack of Subject Matter Jurisdiction" as a motion for post-conviction relief, pursuant to Florida Rule of Criminal Procedure 3.850, and denying the same as untimely. We treat Murray's certiorari petition as a notice of appeal and affirm.