

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. 2002

| | | | |
|-----------------------|----|--------------------|----------|
| ALEXANDER H. SUAREZ, | ** | | |
| Appellant, | ** | CASE NO. 3D01-2322 | |
| vs. | ** | LOWER | |
| THE STATE OF FLORIDA, | ** | TRIBUNAL NOS. | 89-5941 |
| Appellee. | ** | | 90-45979 |

Opinion filed January 30, 2002.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Dade County, Roberto M. Pineiro, Judge.

Alexander H. Suarez, in proper person.

Robert A. Butterworth, Attorney General, and Andrea D. England, Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., JORGENSON, J., and NESBITT, Senior Judge.

PER CURIAM.

We affirm on the authority of Wood v. State, 750 So. 2d 592, 595 (Fla. 1999)(holding that "all defendants adjudicated prior to this opinion shall have two years from the filing date within which to file

claims traditionally cognizable under coram nobis"). Defendant was adjudicated prior to the Wood decision. He filed his petition for writ of error coram nobis, which we treat as a motion for rule 3.850 relief, after May 27, 2001, and beyond the two-year limit. See Wood, 750 So. 2d at 595.

Accordingly, the order on appeal is AFFIRMED.