

IN THE CIRCUIT COURT
OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY
STATE OF FLORIDA

ERNE LEE MAGAWA
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL

tb

2010 AUG 17 P 3 08

JOHNNIE L. DIRDEN, JR.,

APPEALS DIVISION
FILED & RECORDED

Appellant,

v.

Case No.: 10-AP-3
Division: F
L.T. Case No.: 07-MM-26458
Division: IV

STATE OF FLORIDA,

Appellee.

ORDER DISMISSING APPEAL

It appearing that no written order was entered in this case, on August 2, 2010, this Court ordered the appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. The appellant's notice of appeal indicates that he is appealing an order of the County Court denying his motion to withdraw plea "rendered" on December 3, 2009. However, it does not appear that a signed, written order has been rendered. See Fla. R. App. P. 9.020(h). Without a signed, written order, there is nothing to appeal. Owens v. State, 579 So. 2d 311, 312 (Fla. 1st DCA 1991).

On August 6, 2010, the appellant filed a request for the Clerk to file a copy of the order at issue, but the Clerk has advised the appellant that the "order you are requesting has not been filed with the clerk[']s office." Thus, the record does not reflect that an appealable order has been rendered in the trial court and appellant has failed to demonstrate that this Court has jurisdiction to proceed.

Case: 2010 AP 000003

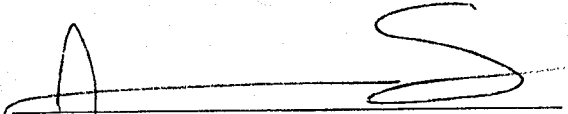


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Accordingly, it is **ORDERED and ADJUDGED** that this appeal is hereby **DISMISSED**. This dismissal is without prejudice to the appellant's right to seek review if a final order is rendered in the trial court.


DONE and ORDERED in Chambers, at Pensacola, Escambia County, Florida
on this 16th day of August, 2010.



JAN SHACKELFORD
Circuit Judge

JS/lcw

Copies furnished to:

 ✓
Johnnie L. Dirden, Jr., DC # P24139
Century Correctional Institution
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Century, FL 32535

✓ Office of the State Attorney
First Judicial Circuit