

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

JANUARY TERM 2012

TOMMY LEE GREEN, SR.,

Appellant,

v.

Case No. 5D11-1376

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed January 20, 2012

Appeal from the Circuit Court
for Sumter County,
William H. Hallman, III, Judge.

James S. Purdy, Public Defender, and
Nancy Ryan, Assistant Public Defender,
Daytona Beach, for Appellant

Tommy L. Green, Sr., Wewahitchka, pro
se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Wesley Heidt, Assistant
Attorney General, Daytona Beach, for
Appellee.

PER CURIAM.

We affirm Green's convictions and sentence without prejudice to his right to seek appropriate and timely postconviction relief. *See Dunbar v. State*, 35 So. 3d 54, 55 (Fla. 5th DCA 2010) (sentencing errors that occur after effective date of amendment to Florida Rule of Criminal Procedure 3.800(b), even if formerly deemed fundamental or

patent on face of record, cannot be reviewed by appellate court if issue is not raised at sentencing or in timely post-sentencing proceeding pursuant to Rule 3.800); see also *Williams v. State*, 56 So. 3d 899 (Fla. 5th DCA 2011).

AFFIRMED.

MONACO, EVANDER and JACOBUS, JJ., concur.