

FLORIDA THIRD DISTRICT COURT OF APPEAL

Arnaldo Lugo-Fernandez v. State of Florida

No. 3D25-0702; Lower Tribunal No. F04-29546 · No. No. 3D25-0702 · Decided February 4, 2026

OPINION

Arnaldo Lugo-Fernandez v. State of Florida

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed February 4, 2026. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-0702 Lower Tribunal No. F04-29546 _____ Arnaldo Lugo-Fernandez, Appellant, vs. State of Florida, Appellee. An Appeal from the Circuit Court for Miami-Dade County, Ramiro Areces, Judge. Arnaldo Lugo-Fernandez, in proper person. James Uthmeier, Attorney General, and Yolande M. Samerson, Assistant Attorney General, for appellee. Before FERNANDEZ, LINDSEY, and BOKOR, JJ. PER CURIAM. We dismiss the instant appeal because the notice of appeal was filed more than thirty (30) days following rendition of the court's Order Striking and Dismissing Defendant's Motion to Correct Sentencing Error. See Fla. R. App. P. 9.140(b)(3) ("The defendant must file the notice prescribed by rule 9.110(d) with the clerk of the lower tribunal at any time between rendition of a final judgment and 30 days following rendition of a written order imposing sentence."). Here the Notice of Appeal was filed more than 63 days after it was due. The Order being appealed was rendered on January 7, 2025, and furnished to Appellant on January 8, 2025. Thus, the deadline for filing the Notice of Appeal was on February 7, 2025. As such, we are compelled to dismiss this appeal as untimely. Dismissed. 2