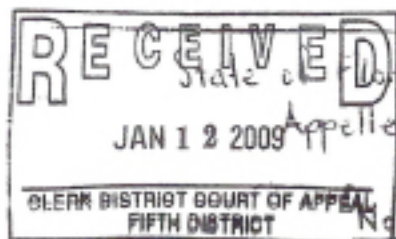


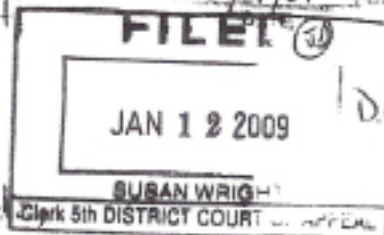
In the District Court of Appeal
Fifth District of the State of Florida

John Dobbs,
Appellant

vs



PROVIDED TO APALACHEE CORRECTIONAL
INSTITUTION ON 1/7/09 FOR MAILING



DCA case no. 5D07-1057

Notice to strike 'Application for clarification of
decisions on Appeal' and recognize 'Pro se Motion for rehearing'

Comes now, pro se appellant, John Dobbs, respectfully requesting that this Honorable court strike an unauthorized Motion for rehearing filed in his name without his consent or prior knowledge. The Appellant has submitted a pro se motion for rehearing which consist of 17 pages, which is signed under penalties of perjury and stamped as received for mailing 12/25/08 by Apalachee Correctional Institution; this is the only motion actually sent by the Appellant. It was not actually mailed by the institution until 12/27/08 because of the holiday and was returned that same day for being 18¢ short. The Appellant then added 1 stamp to each envelope (3 copies sent to 5DCA, 1 sent to Attorney General, and 1 sent to Appellants mother), and gave them back to the institution for mailing the night of 12/29/08 which would mean it was mailed 12/30/08. Appellants mother notified him of a motion for rehearing filed 12/30/08 and that perhaps his father sent a motion titled 'Application for clarification of decisions on Appeal' in his name. Appellant does not believe his pro se motion for rehearing made it from Apalachee C.I. to 5DCA (Daytona) to be filed on the same day. If the 2 page unsigned and unauthorized motion was filed, appellant request that it have no bearing in