

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

JAMES LEONARD,

Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED.

v.

CASE NO. 1D02-2421

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed May 16, 2005.

An appeal from the Circuit Court for Leon County.
Charles A. Francis, Judge.

Appellant, pro se.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

On The Court's Own Motion

We sua sponte withdraw the pre-mandate opinion in this case and substitute the
following:

PER CURIAM.

AFFIRMED. See Bates v. State, 887 So. 2d 1214 (Fla. 2004).

BARFIELD, POLSTON and HAWKES, JJ., CONCUR.