

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2005*

**XAVIER CROMARTIE,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D04-2360

[September 14, 2005]

PER CURIAM.

*Affirmed. See Carswell v. State*, 30 Fla. L. Weekly D1441 (Fla. 4<sup>th</sup> DCA June 8, 2005).

GUNTHER, FARMER and TAYLOR, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ana I. Gardiner, Judge; L.T. Case No. 03-11057 CF 10 A.

Carey Haughwout, Public Defender, and Jeffrey Golant, Assistant Public Defender, West Palm Beach, for appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Myra J. Fried, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***