## DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT January Term 2007

## CHRISTOPHER LEE ALLEN,

Appellant,

v.

## STATE OF FLORIDA,

Appellee.

No. 4D04-4972

[March 28, 2007]

PER CURIAM.

Affirmed. Ysreal v. State, 938 So. 2d 546 (Fla. 4th DCA 2006).

STEVENSON, C.J., KLEIN and MAY, JJ., concur.

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Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Jorge Labarga, Judge; L.T. Case No. 03-13884CFA02.

Carey Haughwout, Public Defender and John M. Conway, Assistant Public Defender, West Palm Beach, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Richard Valuntas, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing