

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

GARION TAYLOR,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D05-4020

[April 18, 2007]

PER CURIAM.

Appellant was convicted of robbery with a firearm and argues, in this direct appeal, that his trial counsel was ineffective for not objecting to an officer and the victim giving opinion testimony. The two witnesses, however, did not give the type of opinion testimony which might be inadmissible. They were merely testifying as to how certain they were in their identification of appellant as the person who had committed the crime. The testimony was accordingly admissible.

Affirmed.

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

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Jorge Labarga, Judge; L.T. Case No. 03-11799 CF A02.

Alexander R. Brumfield, III of Alexander R. Brumfield, III, P.A., West Palm Beach, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Monique E. L'Italien, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing