DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT January Term 2008

DAMION W. FOSTER,

Appellant,

v.

STATE OF FLORIDA, Appellee.

No. 4D06-1778

[February 6, 2008]

PER CURIAM.

Affirmed.

STONE, STEVENSON and TAYLOR, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Martin Bidwill, Judge; L.T. Case No. 04-5956CF10A.

Gawane Grant of Law Offices of Gawane Grant, P.A., Lauderhill, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Joseph A. Tringali, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing