

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2007*

**PETER KELLER,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D06-3267

[September 5, 2007]

PER CURIAM.

Having recalled the mandate in this case on March 29, 2007 to allow further briefing, we hereby withdraw our decision issued on January 31, 2007. After further consideration we hereby reissue the following decision.

*Affirmed.*

SHAHOOD, C.J., WARNER and POLEN, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Stephen A. Rapp, Judge; L.T. Case No. 05-5326 CFB02.

Carey Haughwout, Public Defender, James W. McIntire, Assistant Public Defender, West Palm Beach, and Peter Keller, Moore Haven, for appellant.

Bill McCollum, Attorney General, Tallahassee, and James J. Carney, Assistant Attorney General, West Palm Beach, for appellee.

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