

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

FRANK PIACITELLI,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D06-3562

[January 30, 2008]

PER CURIAM.

Pursuant to the Mandate of the Supreme Court of Florida, dated November 8, 2007, and upon reconsideration in light of *Reeves v. State*, 957 So. 2d 625 (Fla. 2007), we vacate our opinion of May 2, 2007, and replace it with the following.

Affirmed.

STEVENSON, TAYLOR and MAY, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Paul L. Backman, Judge; L.T. Case No. 02-11401 CF10B.

Frank Piacitelli, Fort Lauderdale, pro se.

Bill McCollum, Attorney General, Tallahassee, and Melynda L. Melear, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing