

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

JAMES ROBERT ISHAM,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-4920

[February 6, 2008]

PER CURIAM.

Affirmed. See *Horner v. State*, 617 So. 2d 311 (Fla. 1993) (holding that statute precluding a gap in probationary split sentence does not prohibit a separation between incarceration and probation as to each case of a multiple-case sentence, but merely bars a period of freedom between portions of an overall sentence); *Jackson v. State*, 615 So. 2d 850 (Fla. 2d DCA 1993) (holding that jail term for second count of two-count conviction, to be served between jail term and probationary period for first count, was not impermissible gap in sentencing, but merely interrupted probationary term).

STONE, STEVENSON and HAZOURI, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; James W. McCann, Judge; L.T. Case No. 561991CF002505A.

James Robert Isham, Raiford, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing