

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

EDWARD COOPER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D08-1559

[July 30, 2008]

PER CURIAM.

Affirmed. See *O'Neal v. State*, 862 So. 2d 91, 92 (Fla. 2d DCA 2003) (affirming habitual sentence in part, stating as follows with respect to 1995 amendment to section 775.084, the habitual offender statute: "Where a trial court finds that a defendant qualifies as a habitual felon, it is not necessary for the trial court to specifically state that it is imposing a habitual offender sentence. . . . [T]he trial court necessarily makes that determination by virtue of the fact that it did not make a finding that a habitual offender sentence was unnecessary for the protection of the public.").

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

* * *

Appeal of order denying rule 3.800 (a) motion from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Ana I. Gardiner, Judge; L.T. Case No. 01-17737CF10A.

Edward Cooper, Florida City, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.