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

STATE OF FLORIDA,

Appellant,

v.

GILLION ANTHONY GRAHAM,

Appellee.

No. 4D08-477

[October 15, 2008]

PER CURIAM.

Affirmed. See Dooley v. State, 743 So. 2d 65 (Fla. 4th DCA 1999).

TAYLOR, HAZOURI and MAY, JJ., concur.

* * *

Appeal of a non-final order from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Lucy Chernow Brown, Judge; L.T. Case No. 2005CF010760AXX.

Bill McCollum, Attorney General, Tallahassee, and Thomas A. Palmer and Katherine Y. McIntire, Assistant Attorneys General, West Palm Beach, for appellant.

David F. Pleasanton of David F. Pleasanton, P.A., West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.