

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2010

MILTON GRIFFIN, JR.,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D09-3428

[June 23, 2010]

PER CURIAM.

Affirmed. See Dwyer v. State, 981 So. 2d 606 (Fla. 4th DCA 2008), *rev. denied*, 7 So. 3d 535 (Fla. 2009); *see also Chandler v. State*, 1 So. 3d 284 (Fla. 2d DCA 2009) (recognizing that *Ey v. State*, 982 So. 2d 618, 624 (Fla. 2008), superseded Second District Court of Appeal's decisions to the contrary).

TAYLOR, HAZOURI and MAY, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Cynthia G. Imperato, Judge; L.T. Case No. 97-2304CF10A.

Milton Griffin, Jr., South Bay, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.