

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION  
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JANUARY TERM, A.D. 2004

KENNETH OLIVER,	**	
Appellant,	**	
vs.	**	CASE NO. 3D02-2270
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NOS. 01-40 00-235

Opinion filed April 21, 2004.

An Appeal from the Circuit Court for Monroe County, Ruth  
Becker, Judge.

Bennett H. Brummer, Public Defender and Lisa Walsh,  
Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General and Fredericka  
Sands, Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., and LEVY and GERSTEN, JJ.

PER CURIAM.

Affirmed. See § 924.33, Fla. Stat. (2003); Goodwin v. State,  
751 So. 2d 537 (Fla. 1999).