

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

KHRIS TOBLER,

Appellant,

v.

Case No. 5D18-80

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed April 6, 2018

3.800 Appeal from the Circuit
Court for St. Johns County,
Howard M. Maltz, Judge.

Khris A. Tobler, Century, pro se.

No Appearance for Appellee.

PER CURIAM

AFFIRMED. We reject Appellant's argument that the Prison Releasee Reoffender Act is unconstitutional because it allows the judge, rather than the jury, to determine whether a defendant qualifies as a prison releasee reoffender for sentencing purposes. See *Chapa v. State*, 159 So. 3d 361, 362 (Fla. 4th DCA 2015); *Lopez v. State*, 135 So. 3d 539, 540 (Fla. 2d DCA 2014).

COHEN, C.J., TORPY, and EDWARDS, JJ., concur.