

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

JULY TERM 2004

TIMOTHY GIBBS,

Appellant,

v.

CASE NO. 5D04-3164

STATE OF FLORIDA,

Appellee.

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Opinion filed October 12, 2004

3.800 Appeal from the Circuit Court  
for Putnam County,  
A. W. Nichols, III, Judge.

Timothy Gibbs, Lake City, Pro Se.

No Appearance for Appellee.

PER CURIAM.

AFFIRMED. See Thomas v. State, 778 So. 2d 429 (Fla. 5th DCA 2001).

PALMER, ORFINGER and TORPY, JJ., concur.