IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JULY TERM 2004

JOHNNY R. WINSETT,

Appellant,

V.

CASE NO. 5D04-3601

STATE OF FLORIDA,

Appellee.

_____/

Opinion filed November 23, 2004

3.800 Appeal from the Circuit Court for Orange County, Julie H. O'Kane, Judge.

Johnny R. Winsett, Cocoa, pro se.

No Appearance for Appellee.

PER CURIAM.

AFFIR MED. See § 775.087(1), Fla. Stat. (1996).

SAWAYA, C.J., PETERSON and PALMER, JJ., concur.