

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

JAMES CHRISTOPHER WHITE,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D01-28

Opinion filed February 8, 2005.

An appeal from Circuit Court for Bay County.
William L. Wright, Judge.

Nancy Daniels, Public Defender, and Robert Friedman, Assistant Public Defender,
Tallahassee, for Appellant.

Robert A. Butterworth, Attorney General, and Thomas H. Duffy, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

In light of the decision of the Supreme Court of Florida in State v. White, 29
Fla. L. Weekly S821 (Fla. Dec. 23, 2004), the opinion of this court, filed on August
22, 2002, is withdrawn, and the final order under review is affirmed.

ALLEN, BENTON and PADOVANO, JJ., CONCUR.