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

## HENRY DICKEY,

Appellant,

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

v.

CASE NO. 1D02-1663

STATE OF FLORIDA,

Appellee.

Opinion filed December 31, 2003.

An appeal from the Circuit Court for Leon County. J. Lewis Hall, Jr., Judge.

Kathleen D. Kirwin, Tallahassee, for Appellant.

Charles J. Crist, Jr., Attorney General; Daniel A. David, Assistant Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED. <u>See Hall v. State</u>, 853 So. 2d 546 (Fla. 1<sup>st</sup> DCA 2003). WOLF, C.J., ALLEN and DAVIS, JJ., CONCUR.