

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

STATE OF FLORIDA,
Appellant,

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

v.

CASE NO. 1D02-3531

CHRISTOPHER REED,
Appellee.

_____ /

Opinion filed July 8, 2003.

An appeal from the circuit court for Leon County.
Charles A. Francis, Judge.

Charlie Crist, Attorney General; Felicia A. Wilcox, Assistant Attorney General,
Tallahassee, for Appellant.

Richard H. Smith of Stephen S. Dobson, III, P.A., Tallahassee, for Appellee.

PER CURIAM.

The state seeks review of a downward departure sentence. Because the issue was not properly preserved in the trial court, we affirm. See State v. Henriquez, 717 So. 2d 1087 (Fla. 3d DCA 1998).

AFFIRMED.

KAHN, WEBSTER and DAVIS, JJ., CONCUR.