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

THOMAS PERRY WELLS, JR.

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

Appellant,

Annellee

v.

CASE NO. 1D02-4184

FLORIDA DEPARTMENT OF CORRECTIONS

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Opinion filed October 24, 2003.

An appeal from the Department of Corrections. Michael W. Moore, Secretary.

Appellant, pro se, for appellant.

Anthony W. Garcia, Assistant General Counsel, Department of Corrections, Tallahassee, for appellee.

WOLF, C.J.

Affirmed. Caldwell v. State, 821 So. 2d 374 (Fla. 1st DCA 2002).

LEWIS and POLSTON, JJ., CONCUR.