

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

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

LAWRENCE T. HANKERSON,

Appellant,

v.

CASE NO. 1D03-4302

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed May 22, 2006.

An appeal from an order of the Circuit Court for Bradford County.
Maurice V. Giunta, Judge.

Nancy A. Daniels, Public Defender; Janice G. Scott, Assistant Public Defender,
Tallahassee, for appellant.

Charlie Crist, Attorney General; Anne C. Conley, Assistant Attorney General,
Tallahassee, for appellee.

WOLF, J.

Appellant raises three issues on appeal, none of which have any merit, and only one of which requires brief discussion. Appellant's retrial for first degree murder and resulting conviction for third degree murder following his earlier conviction as

charged for second degree murder which was reversed on grounds other than sufficiency of the evidence, was not barred by principles of double jeopardy. See State v. Lynch, 74 P. 3d 73, 75-77 (N.M. 2003). Affirmed.

HAWKES and THOMAS, JJ., CONCUR.