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

NOT FINAL UNTIL TIME EXPIRES TO

FILE MOTION FOR REHEARING AND

JEFFERY LYNN SMITH,

Appellant,

DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D16-2464

STATE OF FLORIDA,

Appellee.

Opinion filed November 3, 2016.

An appeal from an order of the Circuit Court for Escambia County. Jennie M. Kinsey, Judge.

Nancy A. Daniels, Public Defender, and Steven L. Seliger, Assistant Public Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

WOLF, RAY, and MAKAR, JJ., CONCUR.