

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D18-4285

JOHN F. MOSLEY III,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Duval County.
Steven B. Whittington, Judge.

September 9, 2019

ON MOTION FOR RECONSIDERATION AND/OR WRITTEN OPINION

PER CURIAM.

We grant in part Appellant's motion for reconsideration and/or written opinion, withdraw our opinion issued on June 20, 2019, and substitute the following opinion in its place:

AFFIRMED. *See Hart v. State*, 255 So. 3d 921 (Fla. 1st DCA 2018), *petition for review pending*, Fla. S. Ct. Case. No. SC18-1241; *Pedroza v. State*, 244 So. 3d 1128, 1129 (Fla. 4th DCA 2018), *review granted*, Fla. S. Ct. Case. No. SC18-964, 2018 WL 6433136 (Fla. Dec. 6, 2018).

WOLF, KELSEY, and WINOKUR, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

John F. Mosley III, pro se, Appellant.

Ashley Moody, Attorney General, and Bryan Jordan, Senior Assistant Attorney General, Tallahassee, for Appellee.