

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D22-253

TONY BARBER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Gadsden County.
Robert R. Wheeler, Judge.

September 21, 2022

PER CURIAM.

AFFIRMED. *See* § 921.0024 (2), Fla. Stat. (2021) (“If the lowest permissible sentence under the [Criminal Punishment Code] exceeds the statutory maximum sentence as provided in s. 775.082, the sentence required by the code must be imposed.”); *see also State v. Gabriel*, 314 So. 3d 1243, 1252 (Fla. 2021).

ROWE, C.J., and BILBREY and TANENBAUM, JJ., concur.

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

Tony Barber, pro se, Appellant.

Ashley Moody, Attorney General, Tallahassee, for Appellee.