

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JOSE LUIS BARAJAS, II,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D17-2218

[July 5, 2018]

Appeal of order denying rule 3.800 motion from the Circuit Court for the Nineteenth Judicial Circuit, Indian River County; Cynthia L. Cox, Judge; L.T. Case No. 2001CF000293A.

Antony P. Ryan, Regional Counsel, Donald A. Chinquina, Assistant Regional Counsel, Office of Criminal Conflict and Civil Regional Counsel, Fort Pierce, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Don M. Rogers, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

Affirmed. See *Hart v. State*, 2018 WL 2049668 (Fla. 4th DCA May 2, 2018).

GERBER, C.J., and DAMOORGIAN, J., concur.
MAY J., dissents with opinion.

MAY J., dissenting.

I dissent for the reasons set forth in Judge Warner's dissent in *Hart v. State*, 2018 WL 2049668 (Fla. 4th DCA May 2, 2018).

* * *

Not final until disposition of timely filed motion for rehearing.