

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**DILLON MCDONALD,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D18-1412

[August 8, 2018]

Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Elizabeth Anne Scherer, Judge; L.T. Case No. 08-15431CF10B.

Dillon McDonald, Wewahitchka, pro se.

No appearance required for appellee.

PER CURIAM.

*Affirmed.* See *Hart v. State*, — So. 3d —, 43 Fla. L. Weekly D970a, 2018 WL 2049668 (Fla. 4th DCA May 2, 2018) (en banc). Although two members of this panel dissented in *Hart*, we affirm because we are bound by *Hart*, which is currently the law of this district. We again certify conflict with *Cuevas v. State*, 241 So. 3d 947 (Fla. 2d DCA 2018); *Blount v. State*, 238 So. 3d 913 (Fla. 2d DCA 2018); *Mosier v. State*, 235 So. 3d 957 (Fla. 2d DCA 2017); *Alfaro v. State*, 233 So. 3d 515, 516 (Fla. 2d DCA 2017); and *Burrows v. State*, 219 So. 3d 910, 911 (Fla. 5th DCA 2017).

GERBER, C.J., WARNER and TAYLOR, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***