

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2006

DARRYL L. HARRIS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D03-2112

[November 29, 2006]

***ON REMAND FROM THE
FLORIDA SUPREME COURT***

PER CURIAM.

This case is before us on remand from the Florida Supreme Court which quashed our earlier decision reported at *Harris v. State*, 906 So. 2d 1107 (Fla. 4th DCA 2005).

Based on *State v. Richardson*, 915 So. 2d 86 (Fla. 2005), we affirm appellant's sentence as an habitual felony offender.

KLEIN, GROSS and MAY, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Joel T. Lazarus, Judge; L.T. Case No. 00-4226CF10B.

Carey Haughwout, Public Defender, and Alan T. Lipson, Assistant Public Defender, Assistant Public Defender, West Palm Beach, for appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee, Celia A. Terenzio, Bureau Chief, and Heidi L. Bettendorf, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.