

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

SAMMY ROSS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D03-3838

[December 6, 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 *Ross v. State*, 912 So. 2d 4 (Fla. 4th DCA 2005). On the authority of *State v. Richardson*, 915 So. 2d 86 (Fla. 2005), we affirm the habitual felony offender sentence.

GROSS, TAYLOR and HAZOURI, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ana I. Gardiner, Judge; L.T. Case No. 01-12960CF10A.

Carey Haughwout, Public Defender, and Patrick B. Burke, Assistant Public Defender, West Palm Beach, for appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Claudine M. LaFrance, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing