

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

JANUARY TERM 2005

**NICHOLAS M. PHILLIPS,**

Appellant,

v.

**STATE OF FLORIDA,**

Appellee.

---

CASE NO. 4D05-113

---

Opinion filed February 2, 2005

Appeal of order denying rule 3.800(a) motion  
for the Seventeenth Judicial Circuit, Broward  
County; Jeffrey Levenson, Acting Circuit Judge;  
L.T. Case No. 02-5359 CF10B.

Nicholas M. Phillips, Moore Haven, pro se.

No appearance required for appellee.

PER CURIAM.

Affirmed. See Zook v. State, 883 So. 2d 332  
(Fla. 2d DCA 2004).

WARNER, KLEIN and GROSS, JJ., concur.

***NOT FINAL UNTIL DISPOSITION OF ANY  
TIMELY FILED MOTION FOR REHEARING.***