

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

**IDA L. SMITH,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D05-218

[August 9, 2006]

PER CURIAM.

Affirmed without prejudice to raise this claim in a proper rule 3.850 motion.

FARMER, SHAHOOD and TAYLOR, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Mark A. Speiser, Judge; L.T. Case Nos. 02-20406 CF 10 A & 03-2265 CF 10 A.

Carey Haughwout, Public Defender, and David John McPherrin, Assistant Public Defender, West Palm Beach, for appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Myra J. Fried, Assistant Attorney General, West Palm Beach, for appellee.

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