

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

**DANNY HERNANDEZ,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D05-2486

[October 11, 2006]

PER CURIAM.

*Affirmed. See Sousa v. State, 903 So. 2d 923 (Fla. 2005).*

POLEN, KLEIN and MAY, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Charles E. Burton, Judge; L.T. Case No. 04-2417 CFA02.

Carey Haughwout, Public Defender, and Gary Lee Caldwell, Assistant Public Defender, West Palm Beach, for appellant.

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

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