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

ANDREW CUNNINGHAM,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

No. 4D06-1875

[October 11, 2006]

PER CURIAM.

Affirmed. See Robinson v. State, 373 So. 2d 898, 902 (Fla. 1979).

GUNTHER, SHAHOOD and HAZOURI, JJ., concur.

* * *

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Robert E. Belanger, Judge; L.T. Case No. 432005CF001967A.

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

Charles J. Crist, Jr., Attorney General, Tallahassee, and Georgina Jimenez-Orosa, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.