

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2011*

**FLOYD LEE BROOKS,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D09-1859

[January 19, 2011]

PER CURIAM.

*Affirmed. See Kimbrell v. State*, 764 So. 2d 893 (Fla. 4th DCA 2000).

POLEN, CIKLIN and LEVINE, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Matthew I. Detry, Judge; L.T. Case No. 07-21747 CF10A.

Carey Haughwout, Public Defender, and Anthony Calvello, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

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