

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2010

RANDOLPH SHIFLET,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D09-4773

[October 6, 2010]

PER CURIAM.

We affirm the trial court's denial of appellant's motion to correct an illegal sentence pursuant to Florida Rule of Criminal Procedure 3.800(a). Appellant already raised this very issue in a prior motion, which the trial court denied, and this court affirmed on appeal. *See Shiflet v. State*, 956 So. 2d 466 (Fla. 4th DCA 2007). In addition, as noted by the trial court, his claim that his sentence is illegal based upon *State v. Huggins*, 802 So. 2d 276 (Fla. 2001), is without merit, as the ruling of *Huggins* was abrogated by statute for all crimes committed after July 1, 2001, which would include the offense committed by appellant.

WARNER, POLEN and LEVINE, JJ., concur.

* * *

Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Jeffrey R. Levenson, Judge; L.T. Case No. 03-9012 CF10A.

Randolph Shiflet, South Bay, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.