

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

DAVID FELIPE GARCIA,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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Case No. 2D02-5425

Opinion filed December 3, 2003.

Appeal from the Circuit
Court for Collier County;
Franklin G. Baker, Judge.

James Marion Moorman, Public
Defender, and Steven L. Bolotin,
Assistant Public Defender, Bartow,
for Appellant.

Charles J. Crist, Jr., Attorney
General, Tallahassee, and
Helene S. Parnes, Assistant
Attorney General, Tampa, for
Appellee.

WHATLEY, Judge.

We affirm David Felipe Garcia's convictions and sentences without
prejudice to any right he may have to file a motion for postconviction relief pursuant to
Florida Rule of Criminal Procedure 3.850.

NORTHCUTT and VILLANTI, JJ., Concur