

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

NELSON KISH,)	
)	
Appellant,)	
)	
v.)	Case No. 2D03-2450
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed August 13, 2004.

Appeal from the Circuit Court for Polk
County; Ralph Artigliere, Judge.

James Marion Moorman, Public Defender,
and Tosha Cohen, Assistant Public
Defender, Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Katherine Coombs Cline,
Assistant Attorney General, Tampa, for
Appellee.

PER CURIAM.

We affirm Nelson Kish's designation as a sexual predator. See Milks v. State, 848 So. 2d 1167 (Fla. 2d DCA) (holding that the Florida Sexual Predators Act did not violate constitutional guarantee of procedural due process), review granted, 859 So.

2d 514 (Fla. 2003). We certify conflict with Espindola v. State, 855 So. 2d 1281 (Fla. 3d DCA 2003).

ALTENBERND, C.J., NORTHCUTT, and STRINGER, JJ., Concur.