

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

LEON GILLENWATER,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D03-5784

Opinion filed November 17, 2004.

Appeal from the Circuit Court
for Pinellas County; Linda R. Allan,
Judge.

James Marion Moorman, Public
Defender, and Kevin Briggs, Assistant
Public Defender, Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Tiffany Gatesh Fearing,
Assistant Attorney General, Tampa,
for Appellee.

PER CURIAM.

Affirmed without prejudice to any right Leon Gillenwater may have to seek
appropriate postconviction relief.

ALTENBERND, C.J., and SILBERMAN and VILLANTI, JJ., Concur.