

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

KEITH McCRARY,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D03-5920

Opinion filed November 17, 2004.

Appeal from the Circuit Court for Pinellas
County; David Seth Walker, Senior
Judge.

James Marion Moorman, Public
Defender, and Megan Olson, Assistant
Public Defender, Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Jonathan P. Hurley,
Assistant Attorney General, Tampa,
for Appellee.

PER CURIAM.

Affirmed without prejudice to any right Keith McCrary may have to seek
appropriate postconviction relief.

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