

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

In re Commitment of Allen Riddick.)
_____)
ALLEN RIDDICK,)
Appellant,)
v.)
STATE OF FLORIDA,)
Appellee.)
_____)

Case No. 2D04-5110

Opinion filed June 9, 2006.

Appeal from the Circuit Court for Hillsborough
County; Wayne S. Timmerman, Judge.

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

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Diana K. Bock, Assistant
Attorney General, Tampa, for Appellee.

STRINGER, Judge.

For the reasons expressed in Allen v. State, 31 Fla. Law Weekly D1367
(Fla. 2d DCA May 12, 2006), we affirm the trial court's order continuing Riddick's
commitment based on his 2004 annual review. However, based on the procedural

issues discussed in Allen, if Riddick's 2006 annual review has already occurred or is not expected for more than a few months, Riddick should be given a new annual review hearing at which he may present such evidence as he feels appropriate. Id. at D1368 n.5.

Affirmed.

ALTENBERND and VILLANTI, JJ., Concur.