

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

ROBERT EY,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 2D04-98
	)	
STATE OF FLORIDA,	)	
	)	
Appellee.	)	
_____	)	

Opinion filed July 9, 2004.

Appeal pursuant to Fla. R. App. P.  
9.141(b)(2) from the Circuit Court for  
Pinellas County; Brandt C. Downey, III,  
Judge.

PER CURIAM.

Affirmed. See Gipson v. State, 616 So. 2d 992 (Fla. 1993); Boyd v. State,  
29 Fla. L. Weekly D1229 (Fla. 2d DCA May 21, 2004); McCall v. State, 862 So. 2d 807  
(Fla. 2d DCA 2003); Sigafoos v. State, 825 So. 2d 529 (Fla. 2d DCA 2002); Cook v.  
State, 816 So. 2d 773 (Fla. 2d DCA 2002); Caraballo v. State, 805 So. 2d 882 (Fla. 2d  
DCA 2001); Shaw v. State, 780 So. 2d 188 (Fla. 2d DCA 2001); State v. Spriggs, 754  
So. 2d 84 (Fla. 4th DCA 2000).

As this court did in McCall, we certify direct conflict with Richardson v. State, 28 Fla. L. Weekly D1716 (Fla. 4th DCA July 23, 2003).

Affirmed; conflict certified.

FULMER, COVINGTON, and VILLANTI, JJ., Concur.