

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

B.S.C.,)	
)	
Appellant,)	
)	
v.)	Case No. 2D08-1964
)	2D08-1966
STATE OF FLORIDA)	
)	<u>CONSOLIDATED</u>
Appellee.)	
)	

Opinion filed March 20, 2009.

Appeal from the Circuit Court for
Hillsborough County; Ashley B. Moody,
Judge.

James Marion Moorman, Public Defender,
and Clark E. Green, Assistant Public
Defender, Bartow, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Jonathan P. Hurley,
Assistant Attorney General, Tampa, for
Appellee.

PER CURIAM.

Affirmed without prejudice to any right appellant may possess to file an appropriate motion for collateral relief addressing the unauthorized sentence for the count of resisting an officer without violence. See L.D.K. v. State, 34 Fla. L. Weekly D356 (Fla. 2d DCA Feb. 10, 2009).

CASANUEVA, SILBERMAN, and KELLY, JJ., Concur.