

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

MARVIN EUGENE WELLS,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 2D08-3265
	)	
STATE OF FLORIDA,	)	
	)	
Appellee.	)	
_____	)	

Opinion filed November 13, 2009.

Appeal from the Circuit Court for  
Hillsborough County; William Fuente,  
Judge.

James Marion Moorman, Public  
Defender, and Sean K. Ahmed,  
Special Assistant Public Defender,  
Bartow, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Dawn A. Tiffin,  
Assistant Attorney General,  
Tampa, for Appellee.

PER CURIAM.

Affirmed without prejudice to any right Marvin Wells might have to file a  
motion for postconviction relief.

FULMER, NORTHCUTT and VILLANTI, JJ., Concur.