

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

TONEE TAYLOR,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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Case No. 2D08-4302

Opinion filed April 17, 2009.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Hillsborough County; Wayne S.
Timmerman, Judge.

PER CURIAM.

Tonee Taylor appeals the denial of his motion filed pursuant to Florida Rule of Criminal Procedure 3.800(a). Mr. Taylor raises the same issue that he argued in a prior rule 3.800(a) motion that was denied on the merits. Taylor v. State, 967 So. 2d 917 (Fla. 2d DCA 2007) (table). Collateral estoppel bars Mr. Taylor from arguing that issue again. See State v. McBride, 848 So. 2d 287, 290 (Fla. 2003).

Affirmed.

WHATLEY, SILBERMAN and LaROSE, JJ., Concur.