

Third District Court of Appeal

State of Florida

Opinion filed October 11, 2017.
Not final until disposition of timely filed motion for rehearing.

No. 3D17-1932
Lower Tribunal No. 05-11760

Timothy Stewart,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Yvonne Colodny, Judge.

Timothy Stewart, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before LAGOA, EMAS and SCALES, JJ.

PER CURIAM.

Affirmed. See Strickland v. State, 437 So. 2d 150 (Fla. 1983)(holding that attempted first-degree premeditated murder was properly reclassified from a first-degree felony to a life felony, because defendant was charged with, and convicted of, using firearm during the commission of the attempted premeditated murder and the use of the firearm was not an essential element of the crime).