NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

THIRD DISTRICT

JULY TERM, A.D. 2001

IKE HESTER, **

Appellant, **

vs. ** CASE NO. 3D01-1908

THE STATE OF FLORIDA, ** LOWER

TRIBUNAL NO. 95-21889

Appellee. **

Opinion filed August 8, 2001.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2)from the Circuit Court for Dade County, Lawrence A. Schwartz, Judge.

Ike Hester, in proper person.

Katherine Fernandez Rundle, State Attorney, and Michelle Roth, Assistant State Attorney; Robert A. Butterworth, Attorney General, for appellee.

Before JORGENSON, GODERICH and SHEVIN, JJ.

PER CURIAM.

Affirmed. <u>See Saldo v. State</u>, 26 Fla. L. Weekly D1645 (Fla. 3d DCA July 5, 2001); <u>Robbinson v. State</u>, 784 So. 2d 1246 (Fla. 3d DCA 2001).