

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. 2002

STATE OF FLORIDA,

**

Appellant,

**

vs.

**

CASE NO. 3D02-963

LEE MACK

**

LOWER

TRIBUNAL NO. 01-36588

Appellee.

**

Opinion filed November 13, 2002.

An appeal from the Circuit Court for Miami-Dade County,
Cecilia M. Altonaga, Judge.

Richard E. Doran, Attorney General and Gary K. Milligan
Assistant Attorney General, for appellant.

Bennett H. Brummer, Public Defender and Robert Kalter,
Assistant Public Defender, for appellee.

Before JORGENSEN, LEVY, and GREEN, JJ.

PER CURIAM.

Affirmed. See Bowe v. State, 720 So. 2d 1083 (Fla. 3d DCA 1997); Evans v. State, 546 So. 2d 1125 (Fla. 3d DCA 1989).