

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. 2004

TONY DANIEL BRUCE

Appellant,

vs.

THE STATE OF FLORIDA

Appellee.

**

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** CASE NO. 3D02-1312

**

** LOWER

TRIBUNAL NO. 99-40891

**

Opinion filed July 28, 2004.

An Appeal from the Circuit Court for Dade County, Roberto Pineiro, Judge.

Bennett H. Brummer, Public Defender and Ivy R. Ginsberg, Special Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General and Angel L. Fleming, Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., and GODERICH and SHEPHERD, JJ.

PER CURIAM.

The conviction and sentence under review are affirmed. The only claim of trial error concerns the admission of certain

testimony as to which no objection was preserved below and which does not amount to fundamental error. Likewise, no error has been demonstrated in the sentence, as properly corrected by the trial judge.

Affirmed.