

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2003

ANDREW PENDER,	**	
Appellant,	**	
vs.	**	CASE NO. 3D02-2659
THE STATE OF FLORIDA,	**	
Appellee.	**	LOWER TRIBUNAL NO. 02-3131

Opinion filed June 25, 2003.

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

Bennett H. Brummer, Public Defender, and Valerie Jonas,
Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General, and Thomas C. Mielke,
Assistant Attorney General, for appellee.

Before COPE, LEVY and GREEN, JJ.

PER CURIAM.

Andrew Pender appeals his conviction for purchase or
possession with intent to purchase cocaine. We conclude that the
trial court's evidentiary ruling was consistent with section
90.614, Florida Statutes (2002); see also Charles W. Ehrhardt

Florida Evidence § 614.1 , at 565 (2002), and accordingly affirm
the conviction.

Affirmed.