

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., 2004

ROOSEVELT HOLMES,

\*\*

Appellant,

\*\*

vs.

\*\* CASE NO. 3D03-610

STATE OF FLORIDA,

\*\* LOWER

TRIBUNAL 00-17516

\*\*

Appellee.

Opinion filed June 23, 2004.

An Appeal from the Circuit Court for Miami-Dade County,  
Maria Espinosa Dennis, Judge.

Bennett H. Brummer, Public Defender, and Gwendolyn Powell  
Braswell, Assistant Public Defender, and Roy A. Heimlich, for  
appellant.

Charles J. Crist Jr., Attorney General, and Marni A. Bryson,  
Assistant Attorney General, and Annette Lizardo, for appellee.

Before COPE, GERSTEN, and GREEN, JJ.

PER CURIAM.

Affirmed. See Young v. State, 744 So. 2d 1077 (Fla. 4th DCA  
1999); Davis v. State, 691 So. 2d 1180 (Fla. 3d DCA 1997).