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. 2003

GERALDINE BERNICE WARREN, **

Appellant, **

vs. ** CASE NO. 3D03-1093

THE STATE OF FLORIDA, ** LOWER

TRIBUNAL NO. 01-34458

Appellee. **

Opinion filed July 16, 2003.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Andrew Hague, Judge.

Geraldine Bernice Warren, in proper person.

Charles J. Crist, Jr., Attorney General, for appellee.

Before COPE, SHEVIN and WELLS, JJ.

PER CURIAM.

Affirmed on the authority of <u>State v. Franklin</u>, 836 So. 2d 1112 (Fla. 3d DCA 2003) (en banc). Conflict certified with <u>Taylor v. State</u>, 818 So. 2d 544 (Fla. 2d DCA 2002), <u>review</u> dismissed, 821 So. 2d 302 (Fla. 2002).