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

\* \*

THE STATE OF FLORIDA

\*\*

Appellant,

\*\* CASE NO. 3D03-1560

VS.

\* \*

JASON ACEVEDO

\*\* LOWER

Appellee. TRIBUNAL NO. 02-30858

\* \*

Opinion filed June 23, 2004.

An Appeal from the Circuit Court for Miami-Dade County, Bertila Soto, Judge.

Charles J. Crist, Jr., Attorney General and Barbara A. Zappi, Assistant Attorney General, for appellant.

Jason Acevedo, in proper person.

Before COPE, GREEN, and SHEPHERD, JJ.

PER CURIAM.

We affirm on the authority of <u>State v. Ackerman</u>, 785 So. 2d 1229 (Fla.  $4^{\text{th}}$  DCA 2001).