

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

TIMPEST HAMILTON,

**

Appellant,

**

vs.

**

THE STATE OF FLORIDA,

**

Appellee.

**

CASE NO. 3D03-3179

LOWER

TRIBUNAL NO. F00-34253

Opinion filed January 21, 2004.

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

Timpest Hamilton, in proper person.

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

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

PER CURIAM.

Affirmed on the authority of State v. Franklin, 836 So. 2d
1112 (Fla. 3d DCA 2003) (en banc), review granted 854 So. 2d 659
(Fla. 2003). Conflict certified with Taylor v. State, 818 So. 2d
544 (Fla. 2d DCA 2002), review denied, 821 So. 2d 302 (Fla. 2002).