

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

LEE GRIFFIN,

**

Appellant,

**

CASE NO. 3D03-3394

vs.

**

THE STATE OF FLORIDA,

**

LOWER TRIBUNAL
CASE NO. 89-27775

Appellee.

**

Opinion filed March 3, 2004.

An Appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit Court of Miami-Dade County, Jacqueline Hogan Scola, Judge.

Lee Griffin, in proper person.

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

Before FLETCHER, RAMIREZ, and SHEPHERD, JJ.,

PER CURIAM.

Lee Griffin appeals from the trial court's denial of relief pursuant to Florida Rule of Criminal Procedure 3.800. We affirm. The claims raised were either without legal basis (grounds one and three) or should have been raised on direct appeal (ground two). See Harvey v. Dugger, 656 So. 2d 1253 (Fla. 1995) (holding that "issues that could have been, but were not, raised on direct appeal are not cognizable through collateral attack"); see also State v. Franklin, 836 So. 2d 1112 (Fla. 3d DCA), rev. granted, 854 So. 2d 659 (Fla. 2003) (holding that chapter 99-188 does not violate the single subject rule).

Affirmed.