

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

JOE E. MOORE,

Appellant,

vs.

THE STATE OF FLORIDA,

Appellee.

**

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** CASE NO. 3D04-963

**

** LOWER

TRIBUNAL NO. 97-16606

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Opinion filed June 9, 2004.

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

Joe E. Moore, in proper person.

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

Before COPE, FLETCHER and RAMIREZ, JJ.

PER CURIAM.

Affirmed. Johnson v. State, 763 So. 2d 283, 284-85 (Fla.
2000) ("Prior to the amendments produced by chapter 95-182,
robbery was one of the qualifying offenses which allowed a trial

court to sentence a defendant as a habitual violent felony offender. See § 775.084(1)(b)1.c., Fla. Stat. (1993). Thus, Johnson would have qualified as a habitual violent felony offender prior to the amendments reflected in chapter 95-182. . . . In sum, we find that Johnson was not affected by the passage of chapter 95-182.”).