

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., 2004

DORRELL L. SMITH,	**	
Appellant,	**	
vs.	**	CASE NO. 3D04-1524
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 03-15527

Opinion filed December 8, 2004.

An Appeal from the Circuit Court for Miami-Dade County, Kevin Emas, Judge.

Bennett H. Brummer, Public Defender, and Harvey J. Sepler, Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General, and Thomas Mielke, Assistant Attorney General, for appellee.

Before GERSTEN, FLETCHER, and WELLS, JJ.

PER CURIAM.

Affirmed. See Turner v. State, 745 So. 2d 456 (Fla. 1999).