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

\* \*

FEDERICK FURQHARSEN,

\*\*

\*\*

Appellant,

\*\* CASE NO. 3D04-2416

VS.

THE STATE OF FLORIDA,

\*\* LOWER TRIBUNAL CASE NO. F93-6634

Appellee. \*\*

Opinion filed November 24, 2004.

An Appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit Court for Miami-Dade County, Dennis J. Murphy, Judge.

Federick Furgharsen, in proper person.

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

Before GREEN, FLETCHER, and RAMIREZ, JJ.

PER CURIAM.

Affirmed. <u>See McBride v. State</u>, 29 Fla. Weekly D2235 (Fla. 3d DCA October 6, 2004).