

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

CHARLES WILLIAMS,

**

Appellant,

**

vs.

** CASE NO. 3D04-2654

THE STATE OF FLORIDA,

**

Appellee.

** LOWER
TRIBUNAL NO. 01-13112
01-12321

**

Opinion filed December 15, 2004.

An Appeal under Florida Rule of Appellate Procedure
9.141(b) (2) from the Circuit Court for Miami-Dade County, Pedro
P. Echarte, Jr., Judge.

Charles Williams, in proper person.

Charles J. Crist, Jr., Attorney General, and Jill K.
Traina, Assistant Attorney General, for appellee.

Before LEVY, GODERICH, and GREEN, JJ.

PER CURIAM.

We affirm the lower court's denial of appellant's motion to
correct illegal sentence pursuant to Blakely v. Washington, 124

S. Ct. 2531 (2004). As we recently held in Burgal v. State, No. 3D03-3016, (Fla. 3d DCA Nov. 17, 2004), Blakely does not apply retroactively to cases on collateral review.

Affirmed.