

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

BOBBY JOE MESSER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.  
\_\_\_\_\_ /

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF, IF FILED.

CASE NO. 1D04-4745

Opinion filed September 6, 2005.

An appeal from an order from the circuit court for Escambia County.  
Michael Jones, Judge.

Nancy A. Daniels, Public Defender, and Edgar Lee Elzie, Jr., Assistant Public  
Defender, Tallahassee, Attorneys for Appellant.

No appearance for Appellee.

PER CURIAM.

AFFIRMED.

WOLF, HAWKES and THOMAS, JJ., CONCUR.