

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

JOSE GARCIA,  
Appellant,

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

v.

CASE NO.: 1D04-268

STATE OF FLORIDA,  
Appellee.

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Opinion filed October 31, 2005.

An appeal from the Circuit Court for Escambia County.  
Michael Jones, Judge.

Nancy A. Daniels, Public Defender and Kathleen Stover, Assistant Public  
Defender, Tallahassee, for Appellant.

Charles J. Crist, Jr., Attorney General and Alan R. Dakan, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM

AFFIRMED.

WOLF, VAN NORTWICK AND BROWNING, JJ., CONCUR.