

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

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

FRANKLIN A. NEWTON,

Appellant,

v.

CASE NO. 1D04-4026

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed January 10, 2007.

An appeal from the Circuit Court of Bay County.

Michael C. Overstreet, Judge.

Nancy A. Daniels, Public Defender, and David P. Gauldin, Assistant Public Defender,
Tallahassee, for Appellant;

Franklin A. Newton, pro se, Appellant.

Bill McCollum, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

ALLEN, PADOVANO and LEWIS, JJ., CONCUR.