

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

ANDRE C. SMITH,

Appellant,

v.

CASE NO. 1D05-5998

STATE OF FLORIDA,

Appellee.

Opinion filed February 5, 2007.

An appeal from the Circuit Court for Leon County.

Philip J. Padovano, Judge.

Nancy A. Daniels, Public Defender, and Marjorie C. Holladay, Assistant Public
Defender, Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Terry P. Roberts, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

HAWKES, THOMAS, and ROBERTS, JJ., CONCUR.