

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

ROGER DARNELL HUGHES,
Appellant,

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

v.

CASE NO.: 1D04-2534

STATE OF FLORIDA,

Appellee.
_____ /

Opinion filed June 9, 2005.

An appeal from the Circuit Court for Duval County.
Henry E. Davis, Judge.

Nancy A. Daniels, Public Defender and Carl S. McGinnes, Assistant Public
Defender, Tallahassee, for Appellant.

Charles J. Crist, Jr., Attorney General and Charlie McCoy, Senior Assistant
Attorney General, Tallahassee, for Appellee.

PER CURIAM

AFFIRMED. See Francis v. State, 808 So. 2d 110, 1126-28 (Fla. 2001);

Aponte v. State, 855 So. 2d 148, 150 (Fla. 5th DCA 2003).

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