

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

JIMMIE LEE HENRY,  
Appellant,

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

v.

CASE NO. 04-2611

STATE OF FLORIDA,  
Appellee.

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Opinion filed June 23, 2005.

An appeal from the Circuit Court for Leon County.  
Judge Thomas H. Bateman, III.

Robert Augustus Harper of Harper & Harper Law Firm, P.A., Tallahassee, for  
Appellant.

Charlie Crist, Attorney General and Giselle Lylen Rivera, Assistant Attorney General,  
Office of the Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

PADOVANO, POLSTON and THOMAS, JJ., CONCUR.