

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

JOSEPH POOLE,

Appellant,

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

v.

CASE NO. 1D04-3355

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed June 9, 2005.

An appeal from the Circuit Court for Gadsden County.
William Gary, Judge.

Nancy A. Daniels, Public Defender, and Archie F. Gardner, Jr., Assistant Public
Defender, Tallahassee, for Appellant.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

DAVIS, BENTON and VAN NORTWICK, JJ., CONUR.