

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed April 29, 2009.
Not final until disposition of timely filed motion for rehearing.

No. 3D09-140
Lower Tribunal No. 82-146

Berry O. Russell,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Mark H. Jones, Judge.

Berry O. Russell, in proper person.

Bill McCollum, for appellee.

Before GERSTEN, C.J., and COPE and SUAREZ, JJ.

PER CURIAM.

Affirmed. See § 775.084, Fla. Stat. (1981); see also Shead v. State, 367 So. 2d 264, 267 (Fla. 3d DCA 1979).