

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2004

ROBERT R. KELLY,

Appellant,

v.

CASE NO. 5D03-1878

STATE OF FLORIDA,

Appellee.

Opinion filed June 1, 2004

3.850 Appeal from the Circuit Court
for Volusia County,
S. James Foxman, Judge.

James B. Gibson, Public Defender, and
Brynn Newton, Assistant Public Defender,
Daytona Beach, for Appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee,
and Wesley Heidt, Assistant Attorney General,
Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. *See Strickland v. Washington*, 466 U.S. 668 (1984); *Pomeranz v. State*, 703
So. 2d 465, 471 (Fla. 1997); *Clements v. State*, 742 So. 2d 338 (Fla. 5th DCA 1999).

SAWAYA, CJ., SHARP, W., and GRIFFIN, JJ., concur.