

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

JULY TERM 2004

ROBERT JIMENEZ,

Appellant,

v.

CASE NO. 5D04-2835

STATE OF FLORIDA,

Appellee.

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Opinion filed September 28, 2004

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

Robert Jimenez, Daytona Beach, *pro se*.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Bonnie Jean Parrish,  
Assistant Attorney General, Daytona Beach,  
for Appellee.

PER CURIAM.

AFFIRMED. *See Wright v. State*, 780 So. 2d 216 (Fla. 5th DCA 2001); *rev. denied*, 796 So.  
2d 539 (Fla. 2001). *See also Schriro v. Summerlin*, 124 S. Ct. 2519 (2004).

SHARP, W., GRIFFIN and PALMER, JJ., concur.