

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2008*

**STATE OF FLORIDA,**  
Appellant,

v.

**JOSEPH REX,**  
Appellee.

No. 4D07-5075

[November 19, 2008]

PER CURIAM.

*Affirmed.*

WARNER, FARMER and DAMOORGIAN, JJ., concur.

\* \* \*

Appeal of a non-final order from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Stanton S. Kaplan, Judge; L.T. Case No. 07-18585 CF10A.

Bill McCollum, Attorney General, Tallahassee, and James J. Carney, Assistant Attorney General, West Palm Beach, for appellant.

No brief filed on behalf of appellee.

***Not final until disposition of timely filed motion for rehearing.***