## IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA.

JOSE ARES,

APPELLATE DIVISION (CRIMINAL) CASE NO.: 05-48AC A02

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Opinion filed: 8/0//06

Appeal from Judge Paul Moyle, County Court in and for Palm Beach County.

For Appellant, Jonathon Schwartz, Esq., Schwartz & Associates, 200 SE 1 Street, Suite 801, Miami, FL 33131.

For Appellee, Michelle Zieba, Esq., Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, FL 33401.

PER CURIAM.

The lower court's decision is hereby AFFIRMED.

RAPP, GARRISON, and BERGER, JJ. concur.