

IN THE FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA

NORMAN WESTLAKE,
Appellant,

APPELLATE DIVISION (CRIMINAL)
CASE NO. 05-65AC A02
L.T. NO. 04-32912TC A08

vs.

STATE OF FLORIDA,
Appellee.

Opinion filed: 9/29/06

Appeal from the County Court in and for Palm Beach County,
David Clark, Judge.

For Appellant, Cross-Appellee, Richard Springer, Esq., 3003 South Congress Avenue, Suite 1A, Palm Springs, FL 33461.

For Appellee, Cross-Appellant, Theodore Booras, Esq., Michelle Zieba, Esq., Office of the State Attorney, 401 North Dixie Hwy., West Palm Beach, FL 33401.

PER CURIAM.

The defendant's conviction is AFFIRMED.

We REVERSE and REMAND on the State's cross-appeal. The defendant's prior conviction in Connecticut was a qualifying offense under section 316.193, Florida Statutes, to subject the defendant to an enhanced penalty. See McAdam v. State, 648 So. 2d 1244, 1245 (Fla. 2d DCA 1995).

McSORLEY, MARX, and BERGER, JJ., concur