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

JAMES R. RUTLEDGE,

APPELLATE DIVISION (CRIMINAL)

CASE NO.: 06-31AC A02

L.T. NO.: 05-034961TC A08

Appellant,

V.

STATE OF FLORIDA,

Appellee.

Opinion filed: 10/30/06

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

For Appellant, Alan Lipson, Esq., Office of the Public Defender, 421 Third Street, 6th Floor, West Palm Beach, FL 33401.

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.

GARRISON, LABARGA, and BROWN, JJ. concur.