IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JANUARY TERM 2012

VINCENT S. MILLS,

Appellant,

v. Case No. 5D12-1129

STATE OF FLORIDA,

Appellee.

Opinion filed April 27, 2012

3.800 Appeal from the Circuit Court for Volusia County, R. Michael Hutcheson, Judge.

Vincent S. Mills, Raiford, pro se.

No Appearance for Appellee.

PER CURIAM.

AFFIRMED. <u>See Flagg v. State</u>, 74 So. 3d 138 (Fla. 1st DCA 2011). We certify that the same issue reviewed in this case is currently pending before the Florida Supreme Court in <u>State v. Adkins</u>, 71 So. 3d 117 (Fla. 2011). The mandate will be withheld pending final disposition of <u>Adkins</u>.

PALMER, SAWAYA and COHEN, JJ., concur.