

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JOHNNY GRAHAM, JR.,)

Appellant,)

v.)

STATE OF FLORIDA,)

Appellee.)

Case No. 2D17-1955

Opinion filed December 5, 2018.

Appeal from the Circuit Court for Sarasota
County; Thomas W. Krug, Judge.

Howard L. Dimmig, II, Public Defender, and
J. L. "Ray" LeGrande, Special Assistant
Public Defender, Bartow, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Elba Caridad Martin,
Assistant Attorney General, Tampa, for
Appellee.

LaROSE, Chief Judge.

Johnny Graham, Jr., appeals his judgment and sentences for two counts of capital sexual battery under section 794.011(2)(a), Florida Statutes (2015). Finding no fundamental error, we affirm without comment. See Fleitas v. State, 3 So. 3d 351, 355 n.3 (Fla. 3d DCA 2008) (stating that in the absence of a specific and contemporaneous legal objection to allegedly improper bolstering, such an unpreserved

claim, on appeal, is subject to a fundamental error analysis). Our affirmance is without prejudice to Mr. Graham's right to file a motion for postconviction relief under Florida Rule of Criminal Procedure 3.850.

Affirmed.

VILLANTI and LUCAS, JJ., Concur.