## Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed January 23, 2008. Not final until disposition of timely filed motion for rehearing.

> No. 3D07-639 OGC No. 05-2792

Jerry P. Potter, Appellant,

VS.

## Monte Kennedy and State of Florida Department of Environmental Protection,

Appellee.

An Appeal from the State of Florida, Department of Environmental Protection.

Harry E. Geissinger, III, for appellant.

Alissa Blank, Senior Assistant General Counsel, for appellee Department of Environmental Protection.

Before GREEN and WELLS, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.