

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2009

THOMAS BLACINE, III,

Appellant,

v.

Case No. 5D08-1213

STATE OF FLORIDA,

Appellee.

/

Opinion filed January 27, 2009

Appeal from the Circuit Court
for Volusia County,
Frank Marriott, Judge.

James S. Purdy, Public Defender, and
Brynn Newton, Assistant Public Defender,
Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Carlos A. Ivanor, Jr.,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Hatchell v. State*, 328 So. 2d 874 (Fla. 1st DCA 1976); *Bolius v. State*, 319 So. 2d 85 (Fla. 2d DCA 1975).

GRIFFIN, MONACO and COHEN, J.J., concur.