

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

JANUARY TERM 2009

EDDIE DONALD DAVIS,

Appellant,

v.

Case No. 5D08-1624

STATE OF FLORIDA,

Appellee.

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Opinion filed January 27, 2009

Appeal from the Circuit Court  
for Volusia County,  
Joseph G. Will, Judge.

James S. Purdy, Public Defender, and  
Kevin R. Holtz, Assistant Public Defender,  
Daytona Beach, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Jeffrey R. Casey,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

AFFIRMED. *Russell v. State*, 982 So. 2d 642 (Fla.), *cert. denied* 129 S.Ct. 272  
(2008).

PALMER, C.J., TORPY and EVANDER, JJ., concur.