

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

JULY TERM 2008

DAVID M. BOYLE,

Appellant,

v.

Case No. 5D08-2039

STATE OF FLORIDA,

Appellee.

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Opinion filed December 2, 2008

Appeal from the Circuit Court for
Brevard County,
Charles M. Harris, Senior Judge.

James S. Purdy, Public Defender, and
Edward J. Weiss, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Ann M. Phillips,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Novaton v. State*, 634 So. 2d 607 (Fla. 1994); *Melvin v. State*,
645 So. 2d 448 (Fla. 1994); *Dasher v. State*, 956 So. 2d 1209 (Fla. 5th DCA 2007).

GRIFFIN, MONACO and COHEN, JJ., concur.