

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

JANUARY TERM 2009

RICKY HOLLY,

Appellant,

v.

Case No. 5D08-3411

**CORRECTED**

STATE OF FLORIDA,

Appellee.

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Opinion filed May 12, 2009

Appeal from the Circuit Court  
for Marion County,  
Brian Lambert, Judge.

James S. Purdy, Public Defender, and  
Kathryn Rollison Radtke, Assistant Public  
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Anthony J. Golden,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Griffin v. State, 980 So. 2d 1035 (Fla. 2008); § 938.27(8), Fla.  
Stat. (2008).

ORFINGER, EVANDER and COHEN, JJ., concur.