

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

JANUARY TERM 2009

ANTOINE ERIC SUMMERS,

Appellant,

v.

CASE NO. 5D08-3931

STATE OF FLORIDA,

Appellee.

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Opinion filed June 23, 2009.

Appeal from the Circuit Court  
for Orange County,  
Roger J. McDonald, Judge.

James S. Purdy, Public Defender,  
and Susan A. Fagan, 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. See Lawson v. State, 941 So. 2d 485, 488 f.2 (Fla. 5th DCA 2006).

TORPY and EVANDER, JJ., and COBB, W., Senior Judge, concur.