

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

JANUARY TERM 2010

LESLIE SMITH,

Appellant,

v.

Case No. 5D08-4451

STATE OF FLORIDA,

Appellee.

/

Opinion filed January 26, 2010

Appeal from the Circuit Court
for Brevard County,
James H. Earp, Judge.

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

Bill McCollum, Attorney General,
Tallahassee, and L. Charlene Matthews,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *United States v. Morgan*, 936 F.2d 1561 (10th Cir. 1991).

PALMER, TORPY and COHEN, JJ., concur.