

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

JULY TERM 2008

MICHAEL P. HOFELDT,

Appellant,

v.

CASE NO. 5D08-58

STATE OF FLORIDA,

Appellee.

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Opinion filed July 8, 2008

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

James S. Purdy, Public Defender, and  
Nancy Ryan, Assistant Public Defender,  
Daytona Beach, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Douglas T. Squire,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

AFFIRMED. *See Russell v. State*, 33 Fla. L. Weekly S302 (Fla. May 1, 2008).

PLEUS, LAWSON and COHEN, JJ., concur.