

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

JANUARY TERM 2009

ALBERT W. MORRIS,

Appellant,

v.

Case No. 5D08-752

STATE OF FLORIDA,

Appellee.

/

Opinion filed January 13, 2009

Appeal from the Circuit Court
for Osceola County,
Scott Polodna, Judge.

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

Bill McCollum, Attorney General,
Tallahassee, and Carmen F. Corrente,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Howard v. State*, 484 So. 2d 1319 (Fla. 3d DCA 1986); *Randall v. State*, 346 So. 2d 1233 (Fla. 3d DCA 1977); see also *State v. Melendez*, 244 So. 2d 137 (Fla. 1971).

PALMER, C.J., SAWAYA and MONACO, JJ., concur.