

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

JULY TERM 2009

BRIAN STEWART HUTSON,

Appellant,

v.

Case No. 5D09-427

STATE OF FLORIDA,

Appellee.

/

Opinion filed October 6, 2009

Appeal from the Circuit Court  
for Volusia County,  
Frank Marriott, Judge.

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

Bill McCollum, Attorney General,  
Tallahassee, and Robin A. Compton,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Robinson v. State*, 373 So. 2d 898 (Fla. 1979)

MONACO, C.J., EVANDER and COHEN, JJ., concur.