

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

JANUARY TERM 2012

RICKY R. MCCULLOUGH, JR.,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

NOT FINAL UNTIL THE TIME EXPIRES,  
TO FILE REHEARING MOTION, AND,  
IF FILED, DISPOSED OF.

CASE NO. 5D10-3697

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Opinion filed May 1, 2012

Appeal from the Circuit Court  
for Marion County,  
Edward L. Scott, Judge.

James S. Purdy, Public Defender and  
Leonard R. Ross, Assistant Public  
Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,  
Tallahassee and Douglas T. Squire,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

AFFIRMED. *See Tracey v. State*, 69 So. 3d 992 (Fla. 4th DCA 2011).

SAWAYA, LAWSON and EVANDER, JJ., concur.