IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JULY TERM 2011

JUSTIN VALLENCOURT,	
Appellant,	
v.	Case No. 5D10-972
STATE OF FLORIDA,	
Appellee.	

Opinion filed December 20, 2011.

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

James S. Purdy, Public Defender, and Meghan Ann Collins, Assistant Public Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Megan Saillant, Assistant Attorney General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. <u>See Flagg v. State</u>, 36 Fla. L. Weekly D 2276 (Fla. 1st DCA Oct. 13, 011).

LAWSON and JACOBUS, JJ., concur. SAWAYA, J., dissents without opinion.