IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JANUARY TERM 2012

CORDELL L. GRIFFIN,

Appellant,

v. Case No. 5D11-2635

STATE OF FLORIDA,

Appellee.

Opinion filed March 9, 2012

Appeal from the Circuit Court for Citrus County, Richard Howard, Judge.

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

Pamela Jo Bondi, Attorney General, Tallahassee, and Wesley Heidt, Assistant Attorney General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. <u>See Flagg v. State</u>, 74 So. 3d 138 (Fla. 1st DCA 2011). We certify that the same issue reviewed in this case is currently pending before the Florida Supreme Court in <u>State v. Adkins</u>, 71 So. 3d 117 (Fla. 2011). The mandate will be withheld pending final disposition of <u>Adkins</u>.

ORFINGER, C.J., PALMER and EVANDER, JJ., concur.