

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

JANUARY TERM 2012

ERIN R. BORAK,

Appellant,

v.

Case No. 5D11-3180

STATE OF FLORIDA,

Appellee.

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Opinion filed June 8, 2012

Appeal from the Circuit Court  
for Seminole County,  
Donna McIntosh, Judge.

James S. Purdy, Public Defender, and  
Susan A. Fagan, 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. *See Flagg v. State*, 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 *State v. Adkins*, 71 So. 3d 117 (Fla. 2011). The mandate will be withheld pending final disposition of *Adkins*.

ORFINGER, C.J., LAWSON and JACOBUS, JJ., concur.