

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

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

NICHOLAS J. FREDERICK,

Appellant,

v.

Case No. 5D12-1125

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed March 21, 2014

Appeal from the Circuit Court
for Orange County,
Bob Leblanc, Judge.

James S. Purdy, Public Defender, and
Noel A. Pelella, Assistant Public Defender,
Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Kristen L. Davenport,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Nicholas Frederick appeals the judgment and sentence entered against him after a jury found him guilty of numerous charges.¹ Because the aggravated assault

¹ At trial, the jury found Frederick guilty of the following: Count I, attempted voluntary manslaughter (as a lesser included offense of attempted first-degree murder); Counts II and III, aggravated assault (as lesser included offenses of attempted first-degree murder); Count IV, resisting an officer with violence; Counts V-VIII, aggravated

convictions on Counts V and VI involved the same victims as in Counts II and III and each offense occurred within the same criminal episode, we vacate the convictions on Counts V and VI based on double jeopardy principles. Fleming v. State, 75 So. 3d 397, 400 (Fla. 5th DCA 2011). In all other respects, we affirm.

AFFIRMED, in part; VACATED, in part.

PALMER, EVANDER and BERGER, JJ., concur.

assault; Count IX, fleeing or attempting to elude a law enforcement officer at high speed or with wanton disregard; and Count XI, grand theft of a motor vehicle.