

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

RICHARD LOWELL BENNETT,

Appellant,

v.

Case No. 5D13-694

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed February 7, 2014

Appeal from the Circuit Court
for Volusia County,
Frank Marriott, Judge.

James S. Purdy, Public Defender, and
James Wulchak and Craig Atack,
Assistant Public Defenders, Daytona
Beach, for Appellant.

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

PER CURIAM.

We affirm without prejudice to raise the issue in a motion filed pursuant to rule
3.850, Florida Rules of Criminal Procedure.

AFFIRMED.

SAWAYA, ORFINGER, and EVANDER, JJ., concur.