

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

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

CHRISTOPHER PORTER,

Appellant,

v.

CASE NO. 1D09-2337

STATE OF FLORIDA,

Appellee.

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Opinion filed December 31, 2009.

An appeal from the Circuit Court for Bay County.  
Don T. Sirmons, Judge.

Christopher Porter, pro se, Appellant.

Bill McCollum, Attorney General and Tricia Meggs Pate, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

KAHN and ROBERTS, JJ., CONCUR; BENTON, J., DISSENTS WITH  
OPINION.

BENTON, J., dissenting.

I would require the State to file an answer brief.