

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

MICHAEL JAMES DRAKE
STEWART,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D11-2882

Opinion filed December 13, 2012.

An appeal from the Circuit Court for Escambia County.
Nickolas P. Geeker, Judge.

Michael Ufferman of Michael Ufferman Law Firm, P.A., Tallahassee, for
Appellant.

Pamela Jo Bondi, Attorney General, and Trisha Meggs Pate, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

Michael James Drake Stewart, Appellant, challenges his conviction and
sentence for attempted voluntary manslaughter. Appellant presents five issues on
appeal. We affirm as to four of those issues without further discussion. We affirm

as to the remaining issue based on the authority of Moore v. State, 78 So. 3d 118, 118 (Fla. 1st DCA 2012) (rejecting the appellant's claim that attempted voluntary manslaughter by act is no longer a cognizable offense in Florida).

AFFIRMED.

LEWIS, WETHERELL, and MAKAR, JJ., CONCUR.