## IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON, Plaintiff-Respondent,

v.

DAVID EUGENE BREAMES, Defendant-Appellant.

Clackamas County Circuit Court CR1100074

A149852

Katherine E. Weber, Judge.

Submitted on August 20, 2013.

Peter Gartlan, Chief Defender, and Ernest G. Lannet, Chief Deputy Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Jeremy C. Rice, Assistant Attorney General, filed the brief for respondent.

Before Sercombe, Presiding Judge, and Haselton, Chief Judge, and Hadlock, Judge.

## PER CURIAM

Affirmed. State v. Ziska, 253 Or App 82, 288 P3d 1012 (2012), rev allowed, 353 Or 428 (2013).