

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

BRIAN EUGENE DAY,

Appellant,

v.

Case No. 5D20-1932

STATE OF FLORIDA,

Appellee.

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Decision filed May 25, 2021

3.801 Appeal from the Circuit Court  
for Lake County,  
James R. Baxley, Judge.

Matthew J. Metz, Public Defender, and Scott G.  
Hubbard, Assistant Public Defender, Daytona  
Beach, for Appellant.

Ashley Moody, Attorney General, Tallahassee,  
and L. Charlene Matthews, Assistant Attorney  
General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED.

EDWARDS, EISNAUGLE and HARRIS, JJ., concur.