

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

MICHAEL BENJAMIN SMITH,

Appellant,

v.

Case No. 5D20-2001

STATE OF FLORIDA,

Appellee.

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Decision filed April 6, 2021

Appeal from the Circuit Court for  
Marion County,  
Lisa D. Herndon, Judge.

Matthew J. Metz, Public Defender,  
and Robert J. Pearce, III, Assistant  
Public Defender, Daytona Beach, for  
Appellant.

Ashley Moody, Attorney General,  
Tallahassee, and Nora Hutchinson  
Hall, Assistant Attorney General,  
Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED.

EVANDER, C.J., EISNAUGLE and NARDELLA, JJ., concur.