

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2003

MARK MCGEE,

Appellant,

v.

Case No. 5D03-117

STATE OF FLORIDA,

Appellee.

Opinion Filed December 2, 2003

Appeal from the Circuit Court
for Brevard County,
Lawrence Johnston, Senior Judge.

James B. Gibson, Public Defender, and Thomas J.
Lukashow, Assistant Public Defender, Daytona
Beach, for Appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee,
and Rebecca Roark Wall, Assistant Attorney General,
Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Woods v. State*, 733 So. 2d 980 (Fla. 1999); *Sutton v. State*,
834 So. 2d 332 (Fla. 5th DCA 2003).

THOMPSON, PALMER, and MONACO, JJ., concur.