

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

JULY TERM 2003

NELSON C. CARILLO,

Appellant,

v.

CASE NO. 5D03-835

STATE OF FLORIDA,

Appellee.

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Opinion filed October 21, 2003

Appeal from the Circuit Court  
for Orange County,  
Thomas B. Smith, Judge.

James B. Gibson, Public Defender, and Marvin F.  
Clegg, Assistant Public Defender, Daytona Beach, for  
Appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee,  
and Lamy A. Henry, Assistant Attorney General,  
Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. *See Sewall v. State*, 783 So. 2d 1171 (Fla. 5th DCA 2001); *Brewer v. State*, 413 So. 2d 1217 (Fla. 5th DCA 1982), *rev. denied*, 426 So. 2d 25 (Fla. 1983).

PETERSON, THOMPSON and MONACO, JJ., concur.