

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

JULY TERM 2004

MIGUEL MACHADO,

Appellant,

v.

CASE NO. 5D04-955

STATE OF FLORIDA,

Appellee.

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Opinion filed November 23, 2004

Appeal from the Circuit Court  
for Seminole County,  
Marlene M. Alva, Judge.

James B. Gibson, Public Defender, and Susan A.  
Fagan, Assistant Public Defender, Daytona Beach, for  
Appellant.

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

PER CURIAM.

AFFIRMED. See *Brewer v. State*, 413 So. 2d 1217 (Fla. 5th DCA 1982), *review denied*, 426 So. 2d 25 (Fla. 1983).

SHARP, W., ORFINGER and MONACO, JJ., concur.