

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

JANUARY TERM 2006

DALE WHITAKER,

Appellant,

v.

Case No. 5D05-2840

STATE OF FLORIDA,

Appellee.

Opinion filed June 16, 2006.

Appeal from the Circuit Court
for Brevard County,
Lisa Davidson, Judge.

James S. Purdy, Public Defender,
and Brynn Newton, Assistant Public
Defender, Daytona Beach, for Appellant.

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

PER CURIAM.

AFFIRMED. See Heath v. State, 648 So. 2d 660, 664 (Fla. 1994) (holding the trial court has broad discretion in determining the relevance of evidence and such determination will not be disturbed absent an abuse of discretion).

PLEUS, C.J., THOMPSON, and SAWAYA, JJ., concur.