

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

JULY TERM 2006

MARVIN SULLIVAN,

Appellant,

v.

Case No. 5D05-4141

STATE OF FLORIDA,

Appellee.

Opinion filed August 11, 2006

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

James S. Purdy, Public Defender, and
Jane C. Almy-Loewinger, Assistant Public
Defender, Daytona Beach, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Ann M. Phillips,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *Codie v. State*, 313 So. 2d 754 (Fla. 1975) (for the proposition that when a trial court rules upon a motion for judgment of acquittal, all facts introduced into evidence are considered admitted, and the trial court must draw every conclusion and inference from them in favor of the State).

SAWAYA, ORFINGER and MONACO, JJ., concur.