

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

JANUARY TERM 2006

PATRICK C. SCHMIDT,

Appellant,

v.

Case No. 5D05-4315

STATE OF FLORIDA,

Appellee.

Opinion filed May 23, 2006

Appeal from the Circuit Court
for Orange County,
Julie H. O'Kane, Judge.

James S. Purdy, Public Defender, and
David S. Morgan, Assistant Public
Defender, Daytona Beach, for Appellant.

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

PER CURIAM.

AFFIRMED. *See State v. McCune*, 772 So. 2d 596 (Fla. 5th DCA 2000).

MONACO, TORPY and LAWSON, JJ., concur.