

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

JULY TERM 2007

JASON FELTON,

Appellant,

v.

Case No. 5D06-1299

STATE OF FLORIDA,

Appellee.

Opinion filed July 13, 2007

Appeal from the Circuit Court
for Volusia County,
Joseph G. Will, Judge.

James S. Purdy, Public Defender, and
Robert Wildridge, Assistant Public
Defender, Daytona Beach, for Appellant.

Jason Felton, Madison, pro se.

Bill McCollum, Attorney General,
Tallahassee, and Rebecca Rock
McGuigan, Assistant Attorney
General, Daytona Beach, for Appellee.

PER CURIAM.

After a jury trial, appellant was found guilty of sexual battery¹ and lewd and lascivious battery.² We find no double jeopardy violation. The appellant committed multiple sexual acts on the fourteen-year-old victim. The evidence supports a finding

¹ § 794.011(5), Fla. Stat. (2002).

² § 800.04(4), Fla. Stat. (2002).

that there was a sufficient temporal break between at least two of the acts so as to have allowed appellant "to reflect and form a new criminal intent for each offense." *State v. Paul*, 934 So. 2d 1167, 1173 (Fla. 2006); see also *Schwenn v. State*, 898 So. 2d 1130 (Fla. 4th DCA 2005).

AFFIRMED.

PLEUS, LAWSON and EVANDER, JJ., concur.