

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

JANUARY TERM 2007

ROBERT LEE ROWLES,

Appellant,

v.

Case No. 5D06-2622

STATE OF FLORIDA,

Appellee.

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Opinion filed May 4, 2007

Appeal from the Circuit Court
for Brevard County,
Edward J. Richardson, Senior Judge.

James S. Purdy, Public Defender, and
Rose M. Levering, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Douglas T. Squire,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We conclude that the preserved issues raised in this appeal are controlled by this court's prior decisions in *State v. Ducharme*, 892 So. 2d 1133 (Fla. 5th DCA 2004), and *Moore v. State*, 909 So. 2d 500 (Fla. 5th DCA 2005), and, accordingly, we affirm.

AFFIRMED.

GRIFFIN, THOMPSON and MONACO, JJ., concur.