

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

JANUARY TERM 2008

MAJOR BATTLE MILLS,

Appellant,

v.

Case No. 5D07-179

STATE OF FLORIDA,

Appellee.

Opinion filed March 18, 2008

Appeal from the Circuit Court
for Marion County,
David B. Eddy, Judge.

James S. Purdy, Public Defender, and
Thomas J. Lukashow, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Wesley Heidt, Assistant
Attorney General, Daytona Beach, for
Appellee.

PER CURIAM.

AFFIRMED. *See Smith v. State*, 771 So. 2d 1189 (Fla. 5th DCA 2000).

ORFINGER, MONACO and TORPY, JJ., concur.