

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

JULY TERM 2007

WILLIE QUARTERMAN,

Appellant,

v.

Case No. 5D07-223

STATE OF FLORIDA,

Appellee.

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Opinion filed January 4, 2008

Appeal from the Circuit  
Court for Brevard County,  
Meryl Allawas, Judge.

James S. Purdy, Public Defender, and  
Henry T. Swann, III, Assistant Public  
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Kristen L. Davenport,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Willie Lee Quarterman ["Defendant"] timely appeals his conviction for manslaughter. We affirm.

There is no merit to any of the issues raised on appeal. The refusal to instruct the jury on self defense was not error. Even if there were enough evidence from which a jury could conclude that Defendant reasonably believed that his victim intended him death or great bodily harm, no evidence was presented to show that Defendant made any attempt to retreat or that he made any effort to escape the perceived danger.

*Thomas v. State*, 918 So. 2d 327, 330 (Fla. 1st DCA 2005). Nor did the trial court err in excluding evidence of victim's drug abuse, because Defendant did not show that it was relevant to any issue in the case or necessary to rebut any misleading evidence in the State's case.

AFFIRMED.

GRIFFIN, THOMPSON and PLEUS, JJ., concur.