

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

JANUARY TERM 2008

RUBEN DARIO ESCOBAR,

Appellant,

v.

Case No. 5D07-2706

STATE OF FLORIDA,

Appellee.

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Opinion filed June 20, 2008

Appeal from the Circuit Court
for Orange County,
Bob Leblanc, Judge.

James S. Purdy, Public Defender, and
Leonard R. Ross, 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 Michel v. State, 752 So. 2d 6 (Fla. 5th DCA 2000) (holding that vehicular homicide victim's conduct is irrelevant unless it was sole proximate cause of homicide or unless there was some reason why it would be unjust or unfair to impose criminal liability).

GRIFFIN, ORFINGER and MONACO, JJ., concur.