

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

JULY TERM 2007

MARSHALL J. MATTHEWS,

Appellant,

v.

Case No. 5D07-644

STATE OF FLORIDA,

Appellee.

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Opinion filed November 27, 2007

Appeal from the Circuit Court
for Orange County,
Frederick J. Lauten, Judge.

James S. Purdy, Public Defender, and
Ailene S. Rogers, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Anthony J. Golden,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. *See Kearsse v. State*, 770 So. 2d 1119 (Fla. 2000), *cert. denied*, 532
U.S. 945 (2001).

ORFINGER, MONACO and LAWSON, JJ., concur.