

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

JANUARY TERM 2011

STANLEY MCCLOUD,

Appellant,

v.

Case No. 5D09-3179

STATE OF FLORIDA,

Appellee.

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Opinion filed February 11, 2011

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

James S. Purdy, Public Defender, and
Nancy Ryan, Assistant Public Defender,
Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Kristen L. Davenport,
Assistant Attorney General, Daytona
Beach, for Appellee.

ON MOTION FOR REHEARING AND FOR WRITTEN OPINION

PER CURIAM.

We grant Stanley McCloud's motion for rehearing and for written opinion, withdraw our previous per curiam affirmance dated December 14, 2010, and substitute the following opinion in its place.

AFFIRMED. See Salonka v. State, 42 So. 3d 801 (Fla. 1st DCA 2010); Barras-Diaz v. State, 41 So. 2d 370 (Fla. 2d DCA 2010); Singh v. State, 36 So. 3d 848 (Fla. 4th DCA 2010).

PALMER, TORPY and LAWSON, JJ., concur.