

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

JULY TERM 2012

STATE OF FLORIDA,

Appellant,

v.

Case No. 5D11-2967

ANTHONY PATER MAKOWSKI,

Appellee.

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Opinion filed August 7, 2012

Appeal from the Circuit Court  
for Orange County,  
Janet C. Thorpe, Judge.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Rebecca Rock  
McGuigan, Assistant Attorney General,  
Daytona Beach, for Appellant.

James S. Purdy, Public Defender, and  
David S. Morgan, Assistant Public  
Defender, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. See *State v. Colbert*, 968 So. 2d 1043 (Fla. 5th DCA 2007).

SAWAYA, LAWSON and EVANDER, JJ., concur.