

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

CLARENCE C. SIMMONS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

CASE NO. 1D02-4300

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Opinion filed July 11, 2003.

An appeal from the Circuit Court of Calhoun County. Judy Pittman, Judge.

Nancy A. Daniels, Public Defender and Archie F. Gardner, Assistant Public  
Defender, Tallahassee, for Appellant.

Charlie Crist, Attorney General and Bryan Jordan, Assistant Attorney General,  
Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED. See State v. DiGuilio, 491 So. 2d 1129 (Fla. 1986); State v.  
Casner, 825 So. 2d 993 (Fla. 2d DCA 2002); Davis v. State, 704 So. 2d 681 (Fla.  
1st DCA 1997).

KAHN, WEBSTER, and DAVIS, JJ., concur.