

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

RYAN McCARTHY,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D13-2387

Opinion filed August 26, 2014.

An appeal from the Circuit Court for Leon County.
Angela C. Dempsey, Judge.

Michael Ufferman of Michael Ufferman Law Firm, P.A., Tallahassee, for
Appellant.

Pamela Jo Bondi, Attorney General; Samuel B. Steinberg and Jay Kubica,
Assistant Attorneys General, Tallahassee, for Appellee.

PER CURIAM.

Appellant, Ryan McCarthy, was convicted and sentenced for the unlawful
use of a computer service, traveling to meet a minor, and transmission of material
harmful to minors by electronic device or equipment. Appellant raises three issues
on appeal. We affirm as to all issues and briefly discuss one.

Appellant asserts that his convictions for the unlawful use of a computer service and traveling to meeting a minor violate double jeopardy because they arose out of the same criminal episode. We have previously rejected this argument. See Elsberry v. State, 130 So. 3d 798, 798 (Fla. 1st DCA 2014); State v. Murphy, 124 So. 3d 323, 330-31 (Fla. 1st DCA 2013). As we did in Elsberry, we certify conflict with the decision of Hartley v. State, 129 So. 3d 486 (Fla. 4th DCA 2014).

AFFIRMED.

WOLF, ROWE, and OSTERHAUS, JJ., CONCUR.