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

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Appellant,

v. CASE NO. 1D14-1638

STATE OF FLORIDA,

Appellee.

Opinion filed August 11, 2015.

An appeal from the Circuit Court for Escambia County. Ross Goodman, Judge.

Nancy A. Daniels, Public Defender, Barbara J. Busharis, Assistant Public Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, Kristen Bonjour, Assistant Attorney General, Tallahassee, for Appellee.

OPINION ON MOTION FOR REHEARING AND WRITTEN OPINION

PER CURIAM.

This cause is before us on Appellant's second motion for rehearing and written opinion. We deny the motion for rehearing, but grant the motion for

written opinion and, accordingly, withdraw our former opinion of June 8, 2015, and substitute this opinion in its place.

AFFIRMED. <u>State v. Carpenter</u>, 158 So. 3d 693 (Fla. 1st DCA 2015). Contra Willis v. State, 148 So. 3d 480 (Fla. 2d DCA 2014). BENTON, LEWIS, and THOMAS, JJ., CONCUR.