

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

BRADFORD WINSLOW VOSE,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D14-971

[March 2, 2016]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Indian River County; James W. Midelis, Judge; L.T. Case No. 312011CF000453AXXXXX.

Carey Haughwout, Public Defender, and Peggy Natale, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Luke R. Napodano, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

Appellant appeals his convictions of first-degree murder with a firearm and robbery with a firearm. We find the issues raised by appellant to be without merit and therefore affirm. As to the issue appellant raises regarding jury instructions, we follow this court's decision in *Cruz v. State*, 40 Fla. L. Weekly D1172 (Fla. 4th DCA May 20, 2015), and affirm. As we did in *Cruz*, we certify conflict with *Floyd v. State*, 151 So. 3d 452 (Fla. 1st DCA), *review granted*, 168 So. 3d 229 (Fla. 2014).

Affirmed.

GROSS, LEVINE and CONNER, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.