

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2011

SAM SMITH,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D10-1089

[June 29, 2011]

PER CURIAM.

Affirmed. See Osta v. State, 880 So. 2d 804 (Fla. 5th DCA 2004);
Clark v. State, 510 So. 2d 1202 (Fla. 2d DCA 1987)

GROSS, C.J., STEVENSON and TAYLOR, JJ., concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Nelson Bailey, Judge; L.T. Case No. 2007CF002007AWB.

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

Pamela Jo Bondi, Attorney General, Tallahassee, and Helene C. Hvizd, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.