

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JOHNNY FRED BYRD,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D16-2711

Opinion filed September 21, 2018.

Appeal from the Circuit Court for Lee
County; Bruce Kyle, Judge.

Howard L. Dimmig, II, Public
Defender, and Benedict P. Kuehne,
Special Assistant Public Defender,
Bartow; Michael T. Davis of Kuehne
Davis Law, Miami, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Cornelius C. Demps,
Assistant Attorney General, Tampa;
and Todd Chapman, Assistant
Attorney General, Tampa (substituted
as counsel of record), for Appellee.

PER CURIAM.

Affirmed.

VILLANTI, SLEET, and ATKINSON, JJ., Concur.