

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

BENJAMIN DAVIS SMILEY, JR.,)

Appellant,)

v.)

STATE OF FLORIDA ,)

Appellee.)

Case No. 2D18-901

Opinion filed November 6, 2019.

Appeal from the Circuit Court for Polk
County; Jalal A. Harb Judge.

Jonathan Hackworth of Hackworth Law,
P.A., Tampa, for Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Lisa Martin, Assistant
Attorney General, Tampa, for Appellee.

PER CURIAM.

Affirmed.

KELLY, VILLANTI, and LUCAS, JJ., Concur.