

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

STEVEN D. HOLLAND,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D07-5776

Opinion filed November 6, 2009.

Appeal from the Circuit Court for Sarasota
County; Deno G. Economou, Judge.

James Marion Moorman, Public Defender,
and Pamela H. Izakowitz, Assistant Public
Defender, Bartow, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Ha Thu Dao, Assistant
Attorney General, Tampa, for Appellee.

PER CURIAM.

Affirmed. See Simmons v. State, 790 So. 2d 1177, 1180 (Fla. 3d DCA
2001); Hall v. State, 951 So. 2d 91, 96 (Fla. 2d DCA 2007); Zeigler v. State, No. 2D07-
5300, 2009 WL 3232684, at *6 (Fla. 2d DCA Oct. 9, 2009). But see Montgomery v.

State, 34 Fla. L. Weekly D360 (Fla. 1st DCA Feb. 12), review granted, 11 So. 3d 943
(Fla. 2009).

SILBERMAN, KELLY, and WALLACE, JJ., Concur.