

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

ZACHARY JOERIN, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 STATE OF FLORIDA, )  
 )  
 Appellee. )  
 \_\_\_\_\_ )

Case No. 2D08-5555

Opinion filed December 2, 2009.

Appeal from the Circuit Court for Pinellas  
County; R. Timothy Peters, Judge.

James Marion Moorman, Public Defender,  
and Richard J. D'Amico, Special Assistant  
Public Defender, Bartow, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Deborah A. Fraim,  
Assistant Attorney General, Tampa, for  
Appellee.

WALLACE, Judge.

Zachary Joerin appeals his judgment and sentence for fleeing or  
attempting to elude a law enforcement officer under section 316.1935(3)(a), Florida  
Statutes (2007), a second-degree felony. Mr. Joerin argues that double jeopardy

principles bar his fleeing or eluding conviction because he had previously pleaded nolo contendere to and been sentenced for a reckless driving offense, section 316.192(1), stemming from the same series of events that gave rise to the fleeing or eluding charge. We conclude that Mr. Joerin's convictions for both reckless driving and fleeing or eluding do not violate double jeopardy. See Cruz v. State, 956 So. 2d 1279, 1282 (Fla. 4th DCA 2007).

Affirmed.

VILLANTI and CRENSHAW, JJ., Concur.