

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

DUANE F. STAHLEY,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 2D02-400
	)	
STATE OF FLORIDA,	)	
	)	
Appellee.	)	
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Opinion filed October 15, 2003.

Appeal from the Circuit Court for  
Manatee County; K. Douglas Henderson,  
Acting Circuit Judge.

Elliott C. Metcalfe, Jr., Public Defender,  
and Christopher E. Cosden, Assistant Public  
Defender, Sarasota, for Appellant.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Thomas C. Mielke,  
Assistant Attorney General, Miami,  
for Appellee.

PER CURIAM.

Affirmed. See Westerheide v. State, 831 So. 2d 93 (Fla. 2002); Lee v. State, 28  
Fla. L. Weekly D1912 (Fla. 2d DCA Aug. 15, 2003).

NORTHCUTT, SILBERMAN, and VILLANTI, JJ., Concur.