

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

DAVID EARL LUTZ,
Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D04-2062

STATE OF FLORIDA,
Appellee.

Opinion filed August 12, 2005.

An appeal from the Circuit Court for Santa Rosa County.
Ronald V. Swanson, Judge.

Nancy A. Daniels, Public Defender and David P. Gauldin, Assistant Public Defender,
Tallahassee, for Appellant.

Charlie Crist, Attorney General and Charlie McCoy, Senior Assistant Attorney
General, Office of the Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

BARFIELD, PADOVANO and POLSTON, JJ., CONCUR.