

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

BENNY MARZULLO,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D04-2140

Opinion filed August 12, 2005.

An appeal from the Circuit Court for Bay County.
Don T. Sirmons, Judge.

Nancy A. Daniels, Public Defender; Heidi E. Brewer, Assistant Public Defender,
Tallahassee, for Appellant.

Charlie Crist, Attorney General; Daniel A. David, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

WEBSTER, VAN NORTWICK and LEWIS, JJ., CONCUR.