

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

JOSHUA E. MITCHELL,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D05-0692

Opinion filed December 5, 2005.

An appeal from the Circuit Court for Alachua County.
David A. Glant, Judge.

Nancy A. Daniels, Public Defender, and G. Kay Witt, Assistant Public Defender,
Tallahassee, for Appellant.

Charlie Crist, Attorney General, and Sherri T. Rollison, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

ERVIN and DAVIS, JJ., CONCUR; BENTON, J., DISSENTS.