

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

BENJAMIN McDONALD,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D06-0308

Opinion filed December 20, 2006.

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

Richard A. Greenberg, of Rumberger, Kirk & Caldwell, Tallahassee, for Appellant.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

BARFIELD, PADOVANO, and POLSTON, JJ., CONCUR.