

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

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

CHRISTOPHER SMOKE,

Appellant,

v.

CASE NO. 1D08-5569

STATE OF FLORIDA,

Appellee.

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Opinion filed January 20, 2010.

An appeal from the Circuit Court for Leon County.  
Hon. Terry P. Lewis, Judge.

Nancy A. Daniels, Public Defender, and Terry Carley, Assistant Public Defender,  
Tallahassee, for Appellant.

Bill McCollum, Attorney General, Attorney General, for Appellee.

PER CURIAM.

AFFIRMED.

HAWKES, C.J., WOLF and DAVIS, JJ., CONCUR.