

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

RODDRICK CORNELIUS
TIMMONS,

Appellant,

CASE NO. 1D09-2424

v.

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed February 3, 2010.

An appeal from the Circuit Court for Duval County.
David Gooding, Judge.

Nancy A. Daniels, Public Defender, and Joel Arnold, Assistant Public Defender,
Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Brooke Poland, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

KAHN and ROBERTS, JJ., CONCUR; BENTON, J., DISSENTS WITHOUT
OPINION.