

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2010

MICHAEL CARL HARRIS,

Appellant,

v.

Case No. 5D08-3926

STATE OF FLORIDA,

Appellee.

Opinion filed June 4, 2010

Appeal from the Circuit Court
for Orange County,
Marc L. Lubet, Judge.

James S. Purdy, Public Defender, and
Leonard R. Ross, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General, Tallahassee,
and Carmen F. Corrente, Assistant Attorney
General, Daytona Beach, for Appellee.

PER CURIAM.

Michael Carl Harris appeals his judgment and sentence for delivery of cocaine. He argues that the State failed to prove the element of knowledge. We affirm. When person #1 asks person #2 for crack cocaine, person #2 directs person #3 to hand over a substance, and person #3 hands over a substance that later tests positive for cocaine, the reasonable inference is that person #2 had knowledge that the substance was cocaine, especially if person #2 asks person #1 if they are with the police and thereafter flees upon arrival of law enforcement.

AFFIRMED.

GRIFFIN, ORFINGER and COHEN, JJ., concur.