## IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JULY TERM 2010

DESMOND SOLOMON,

Appellant,

v. Case No. 5D09-1731

STATE OF FLORIDA,

Appellee.

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Opinion filed December 21, 2010

Appeal from the Circuit Court for Orange County, Walter Komanski, Judge.

James S. Purdy, Public Defender, and Allison A. Havens, Assistant Public Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General, Tallahassee, and Rebecca Roark Wall, Assistant Attorney General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Florida v. Powell, 130 S. Ct. 1195 (2010).

SAWAYA, ORFINGER and JACOBUS, JJ., concur.