

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

JULY TERM 2010

EBONY BLAKE,

Appellant,

v.

Case No. 5D09-3611

STATE OF FLORIDA,

Appellee.

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Opinion filed December 30, 2010

Appeal from the Circuit Court  
for Seminole County,  
Marlene M. Alva, Judge.

F. Wesley Blankner, Jr., of Jaeger &  
Blankner, Orlando, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Pamela J. Koller,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Nguyen v. State, 858 So. 2d 1259 (Fla. 1st DCA 2003) (holding deadly weapon, within meaning of aggravated battery statute, includes any instrument likely to cause great bodily harm because of way it is used during crime).

GRIFFIN, ORFINGER and LAWSON, JJ., concur.