

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

JANUARY TERM 2010

GREGORY THOMPSON,

Appellant/Cross-Appellee,

v.

Case No. 5D09-3787

STATE OF FLORIDA,

Appellee/Cross-Appellant.

_____ /

Opinion filed July 6, 2010

Appeal from the Circuit Court
for Orange County,
Roger J. McDonald, Judge.

James S. Purdy, Public Defender, and
Ailene S. Rogers, Assistant Public
Defender, Daytona Beach, for
Appellant/Cross-Appellee.

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

PER CURIAM.

AFFIRMED. *See Simmons v. State*, 934 So. 2d 1100 (Fla. 2006), *cert. denied*,
549 U.S. 1209 (Fla. 2007).

MONACO, C.J., TORPY and JACOBUS, JJ., concur.