

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

JANUARY TERM 2011

GEORGE NELSON BULA,

Appellant,

v.

Case No. 5D10-1474

STATE OF FLORIDA,

Appellee.

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Opinion filed April 15, 2011

Appeal from the Circuit Court
for Orange County,
Alicia Latimore, Judge.

James S. Purdy, Public Defender, and
Nancy Ryan, Assistant Public Defender,
Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Kellie A. Nielan,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

George N. Bula appeals his convictions of lewd and lascivious molestation, lewd and lascivious conduct and showing obscene material to a minor. Bula contends, and the State concedes, that the lewd and lascivious conduct charge was, under the facts of this case, subsumed within the identical acts encompassed in the charge of lewd and lascivious molestation. We agree, and on remand, Bula's conviction of lewd and

lascivious conduct shall be vacated. In all other respects, we affirm Bula's convictions and sentences.

AFFIRMED in part; REVERSED in part; and REMANDED FOR CORRECTION.

ORFINGER, TORPY and JACOBUS, JJ., concur.