IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JULY TERM 2011

TO FILE REHEARING MOTION, AND, OF FILED, DISPOSED OF.

SETH ANDREW CONFESSORE,

Appellant,

٧.

Case No. 5D10-2232

STATE OF FLORIDA,

Appellee.

Opinion filed November 22, 2011

Appeal from the Circuit Court for Marion County, Jonathan D. Ohlman, Judge.

Robert Augustus Harper, Jr. and Robert Augustus Harper, III, of Harper & Harper Law Firm, P.A., Tallahassee, and Ivy R. Ginsberg, of Ivy R. Ginsberg, P.A., Aventura, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Pamela J. Koller and Wesley Heidt, Assistant Attorneys General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Flagg v. State, 36 Fla. L. Weekly D2276 (Fla. 1st DCA Oct. 14, 2011).

ORFINGER, C.J., EVANDER and COHEN, JJ., concur.