

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

JULY TERM 2010

RICHARD W. NICHOLS, JR.,

Appellant,

v.

Case No. 5D10-909

STATE OF FLORIDA,

Appellee.

\_\_\_\_\_ /

Opinion filed November 23, 2010

Appeal from the Circuit Court  
for Hernando County,  
Jack Springstead, Judge.

James S. Purdy, Public Defender, and  
Noel A. Pelella, Assistant Public Defender,  
Daytona Beach, for Appellant.

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

PER CURIAM.

AFFIRMED. See *Lenear v. State*, 833 So. 2d 182 (Fla. 5th DCA 2002).

MONACO, C.J., GRIFFIN and EVANDER, JJ., concur.