

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

JANUARY TERM 2012

KIRK DIXON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

**NOT FINAL UNTIL THE TIME EXPIRES  
TO FILE REHEARING MOTION, AND,  
IF FILED, DISPOSED OF.**

CASE NO. 5D11-2778

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Opinion filed February 21, 2012

Appeal from the Circuit Court  
for Brevard County,  
Charles M. Harris, Senior Judge.

James S. Purdy, Public Defender, and  
Steven N. Gosney, Assistant Public  
Defender, Daytona Beach, for Appellant.

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

PER CURIAM.

AFFIRMED. See *Flagg v. State*, 74 So. 3d 138 (Fla. 1st DCA 2011).

MONACO, LAWSON and COHEN, JJ., concur.