

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

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

STATE OF FLORIDA,

Appellant,

v.

Case No. 5D18-1138

CHRISTOPHER JONATHAN TORO,

Appellee.

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Opinion filed April 16, 2019

Appeal from the Circuit Court  
for Seminole County,  
Debra S. Nelson, Judge.

Ashley Moody, Attorney General,  
Tallahassee, and Kristen L. Davenport,  
Assistant Attorney General, Daytona  
Beach, for Appellant.

James S. Purdy, Public Defender, and  
Robert Jackson Pearce, III, Assistant  
Public Defender, Daytona Beach, for  
Appellee.

PER CURIAM.

Affirmed. See State v. McCartney, 1 So. 3d 326 (Fla. 4th DCA 2009).

BERGER, GROSSHANS and SASSO, JJ., concur.