

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

JANUARY TERM 2005

O.H., A CHILD,

Appellant,

v.

Case No. 5D04-885

5D04-989

STATE OF FLORIDA,

Appellee.

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Opinion filed February 1, 2005

Appeal from the Circuit Court for  
Orange County,  
John Marshall Kest, Judge.

James S. Purdy, Public Defender, and Susan A.  
Fagan, Assistant Public Defender, Daytona  
Beach, for Appellant.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Timothy D. Wilson, Assistant  
Attorney General, Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. *See Byrd v. State*, 419 So. 2d 725 (Fla. 5<sup>th</sup> DCA 1982).

SHARP, W., PALMER and MONACO, JJ., concur.