

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

JANUARY TERM 2007

RICHARD ARTHUR BERTKE,

Appellant,

v.

Case No. 5D06-1347

STATE OF FLORIDA,

Appellee.

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Opinion filed February 20, 2007

Appeal from the Circuit Court
for St. Johns County,
Robert K. Mathis, Judge.

Jill S. Barger, St. Augustine, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Kristen L. Davenport,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Martinez v. State, 933 So. 2d 1155 (Fla. 3d DCA 2006).

PLEUS, C.J., SAWAYA and MONACO, JJ., concur.