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watch film horor thailand shutter download film horor thailand shutter download film horor thailand 399 So.2d 1326 (1981) Tracy Boggs ROBINSON, Appellant, v. STATE of Florida, Appellee. No. 80-1580. District Court of Appeal of Florida, Fourth District. June 16, 1981. Rehearing Denied August 26, 1981. *1327 Richard L. Jorandby, Public Defender, and Anthony A. Scalera, Asst. Public Defender, West Palm Beach, for appellant. No appearance for appellee. GLICKSTEIN, Judge. The appellant was charged, under a three count indictment, with burglary, simple battery, and possession of burglary tools. He was convicted of burglary, simple battery, and possession of burglary tools. On appeal, the defendant claims that his defense at trial was not given sufficient instruction by the trial court. We disagree. At trial, the state presented testimony showing the defendant was arrested in the apartment of an elderly couple after they returned home from a trip. The defendant was found standing in the dining room area of the apartment. When arrested, the defendant admitted that he had been waiting for the owner to return. The state presented further testimony to show that there were three broken dining room chairs and a door which had been pried open and struck with a piece of iron pipe laying on the floor near the stolen door. A witness testified that the defendant admitted breaking into the apartment, taking the hand tool, and striking the door with it. We have carefully reviewed the record and considered the defendant's argument that his theory of defense, as set forth in his motion for a judgment of acquittal and oral motion to dismiss, was correct. We have concluded, however, that the trial court gave defendant appropriate instructions and an opportunity to defend. The defense at trial was that the defendant entered the premises without the victim's permission and took a utility tool and the occasion was an accident. On this issue, the trial court gave the defendant proper instruction by adding to the pertinent instructions in subsection (4) of Florida Standard Jury Instructions for the simple battery count. In pertinent part, the court told the jury it had "heard testimony" and "[t]he Court will instruct you on the law applicable to the facts of this case." Thereafter, the court gave the ordinary battery instruction. Defendant argues that the battery instruction

