

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

APPELLATE CASE NO: **06-AP-45**
LOWER COURT CASE NO: 48-2006-CT-10996-O

ROY ROSSINI,
Appellant,
vs.

STATE OF FLORIDA,
Appellee.

_____/

Appeal from the County Court for Orange County,
Florida, Leon B. Cheek III, County Court Judge

Terrence E. Kehoe for Appellant

Lawson Lamar, State Attorney, and Chris A. Lerner,
Assistant State Attorney, for Appellee

Before Thorpe, Sprinkel, and T. Smith, J.J.

PER CURIAM.

FINAL ORDER AFFIRMING TRIAL COURT

Roy Rossini appeals the final Order adjudicating him guilty of Driving Under the Influence and imposing a sentence of probation, rendered October 30, 2006. This Court has jurisdiction pursuant to Florida Rule of Appellate Procedure 9.030(c)(1). After consideration of the record on appeal and the parties' briefs, this Court dispenses with oral argument pursuant to Florida Rule of Appellate Procedure 9.320 and affirms the ruling of the trial court.

Mr. Rossini was arrested and charged with DUI. He raises only one issue on appeal: whether the trial court erred in admitting into evidence the FDLE annual inspection certificate relating to the Intoxilyzer 8000 used to conduct his breath tests. The trial court ruled the certificate was a business record and that the witness, Ms. Melville, was the custodian of the