

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

APPELLATE CASE NO: **07-AP-26**
LOWER COURT CASE NO: 48-2006-MM-5191-O

ANDREW DREISBACH,
Appellant,
vs.

STATE OF FLORIDA,
Appellee.

_____/

Appeal from the County Court for Orange County,
Florida, John E. Jordan, County Court Judge

James C. Dauksch III for Appellant

Lawson Lamar, State Attorney, and Abigail Forrester
Jorandby, Assistant State Attorney, for Appellee

Before Sprinkel, J. Adams, and Thorpe, J.J.

PER CURIAM.

FINAL ORDER AFFIRMING TRIAL COURT

Andrew Dreisbach appeals the trial court's Final Judgment and Order on Restitution, dated March 8, 2007, and order on his Motion for Rehearing, dated April 10, 2007. 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. Dreisbach argues the trial court erred by awarding restitution and also in calculating the amount of restitution. His first point is that the trial court erred in awarding restitution on the disorderly conduct charge. He argues it was a "mutual combat" situation in which Mr. Fuller was a willing participant, and the battery charge was nolle prossed. His second point is that even if