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Russ v. State, 32 Fla. L. Weekly D2585 (Fla. 3rd DCA 2007):

Semantic error in jury instruction, which, by stating that unlawful sexual digital contact could be committed either by penetration “and/or” mere union with vagina or anus of victim, told jury that guilty verdict could be based on simple digital contact alone, could not be said to have misled or influenced jury in any way, and thus, could not be fundamental error in prosecution for sexual battery; information charged, trial testimony of victim demonstrated, and special verdict of jury specifically found only that penetration had occurred, and there was no suggestion that mere contact was sufficient.