

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2010*

**CARLOS DAVILA,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D07-44

[June 16, 2010]

PER CURIAM.

*Affirmed. See Vargas v. State*, 35 Fla. L. Weekly D564 (Fla. 4th DCA Mar. 10, 2010).

STEVENSON, HAZOURI and GERBER, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Charles M. Greene, Judge; L.T. Case No. 04-6701 CF10I.

Cynthia M. Curry, Fort Lauderdale, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Melanie Dale Surber, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***