

# Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed March 26, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D07-1429

Lower Tribunal No. 03-35708

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**The State of Florida,**

Appellant,

vs.

**Ramon Machin Gonzalez,**

Appellee.

An Appeal from the Circuit Court for Miami-Dade County, William Thomas, Judge.

Bill McCollum, Attorney General, and Rolando A. Soler, Assistant Attorney General, for appellant.

Bennett H. Brummer, Public Defender, and Andrew Stanton, Assistant Public Defender, for appellee.

Before GREEN, RAMIREZ, and CORTIÑAS, JJ.

PER CURIAM.

Affirmed. See Phillips v. State, 612 So. 2d 557 (Fla. 1992).