

# Third District Court of Appeal

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

Opinion filed December 31, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D07-2622  
Lower Tribunal No. 99-36134

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**David Francis,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Diane V. Ward,  
Judge.

Julio A. Padilla, for appellant.

Bill McCollum, Attorney General, and Nicholas Merlin, Assistant Attorney  
General, for appellee.

Before ROTHENBERG and LAGOA, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.