

# Third District Court of Appeal

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

Opinion filed February 13, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D07-3096  
Lower Tribunal No. 00-259

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**David Hernandez,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Wayne M. Miller, Judge.

David Hernandez, in proper person.

Bill McCollum, Attorney General, for appellee.

Before SHEPHERD, SUAREZ, and LAGOA, JJ.

PER CURIAM.

Affirmed.