## Third District Court of Appeal

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

Opinion filed February 27, 2008. Not final until disposition of timely filed motion for rehearing.

> No. 3D07-3275 Lower Tribunal No. 94-42130

> > Freddie Smith, Appellant,

> > > vs.

The State of Florida, Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Peter Adrien, Judge.

Freddie Smith, in proper person.

Bill McCollum, Attorney General, and Heidi Milan Caballero, Assistant Attorney General, for appellee.

Before SHEPHERD, SUAREZ, and LAGOA, JJ.

PER CURIAM.

Affirmed.