

# Third District Court of Appeal

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

Opinion filed April 9, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D08-421

Lower Tribunal No. 95-39053

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**Frank Johnson,**

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, Mark King Leban, Judge.

Frank Johnson, in proper person.

Bill McCollum, Attorney General, for appellee.

Before SHEPHERD and SUAREZ, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed. See § 921.231, Fla. Stat. (2005); *Huntley v. State*, 339 So. 2d 194 (Fla. 1976); *Gibbs v. Wainwright*, 303 So. 2d 7 (Fla. 1974); *Shaw v. State*, 780 So. 2d 188 (Fla. 2d DCA 2001).