

# 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. 3D08-966  
Lower Tribunal No. 05-39296

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**Arnold Smith,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Israel Reyes,  
Judge.

Bennett H. Brummer, Public Defender, and Robert Godfrey, Assistant  
Public Defender, for appellant.

Bill McCollum, Attorney General, and Michael C. Greenberg, Assistant  
Attorney General, for appellee.

Before WELLS, ROTHENBERG, and LAGOA, JJ.

PER CURIAM.

Affirmed.