

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.

No. 3D08-2588
Lower Tribunal No. 00-38326, 06-23477, 07-15291

Herbert Lee Fleming,
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, John Schlesinger, Judge.

Ronald S. Guralnick, for appellant.

Bill McCollum, Attorney General, for appellee.

Before CORTIÑAS and SALTER, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed. See Hines v. State, 906 So. 2d 1137, 1138 (Fla. 3d DCA 2005)
(affirming denial of postconviction relief where review of the record revealed

defendant agreed during plea colloquy to credit for time served from certain date); see also Fla. R. App. P. 9.141(b)(2)(C) (providing that oral argument is not required in appeal of a summary denial of a Florida Rule of Criminal Procedure 3.800(a) motion).