

# Third District Court of Appeal

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

Opinion filed November 19, 2008.  
Not final until disposition of timely filed motion for rehearing.

---

No. 3D08-2622  
Lower Tribunal No. 97-25612

---

**Benson Stewart,**  
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, Dennis J. Murphy, Judge.

Johnny L. McCray, for appellant.

Bill McCollum, Attorney General, for appellee.

Before RAMIREZ, WELLS, and LAGOA, JJ.

PER CURIAM.

Affirmed. State v. De Armas, 988 So. 2d 156, 157-58 (Fla. 3d DCA 2008).