

# Third District Court of Appeal

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

Opinion filed December 17, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D08-2947

Lower Tribunal No. 98-41595

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**Michael J. Cerque,**  
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, Beatrice Butchko, Judge.

Michael J. Cerque, in proper person.

Bill McCollum, Attorney General, for appellee.

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

PER CURIAM.

Affirmed.