

# Third District Court of Appeal

State of Florida, January Term, A.D. 2011

Opinion filed July 6, 2011.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D09-3386  
Lower Tribunal No. 09-7555

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**Jonathan Diaz,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Daryl Trawick,  
Judge.

Robbins, Tunkey, Ross, Amsel, Raben & Waxman and Benjamin S.  
Waxman, for appellant.

Pamela Jo Bondi, Attorney General, and Heidi Milan Caballero, Assistant  
Attorney General, for appellee.

Before ROTHENBERG and LAGOA, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.