

# Third District Court of Appeal

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

Opinion filed September 14, 2011.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D10-1558  
Lower Tribunal No. 07-42727C

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**The State of Florida,**  
Appellant,

vs.

**Nesdy Garcia,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Julio Jimenez,  
Judge.

Pamela Jo Bondi, Attorney General and Nikole Hiciano, Assistant Attorney  
General, for appellant.

Carlos J. Martinez, Public Defender, and Manuel Alvarez, Assistant Public  
Defender, for appellee.

Before RAMIREZ, SUAREZ, and SALTER, JJ.,

PER CURIAM.

Affirmed.