

# Third District Court of Appeal

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

Opinion filed April 27, 2011.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D10-2765  
Lower Tribunal No. 95-760

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**Ricardo Batista,**  
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, Bronwyn C. Miller, Judge.

Ana M. Davide and Andrew McCutcheon for appellant.

Pamela Jo Bondi, Attorney General, and Forrest L. Andrews, Jr., Assistant Attorney General, for appellee.

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

PER CURIAM.

Affirmed.