

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.

No. 3D11-410
Lower Tribunal No. 97-55

Rafael L. Menendez,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Ruth Becker, Judge.

Sui Chung, Immigration Law and Litigation Group; Michael Vastine, Director, Immigration Clinic, St. Thomas University School of Law, for appellant.

Pamela Jo Bondi, Attorney General, and Timothy R.M. Thomas, Assistant Attorney General, for appellee.

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

PER CURIAM.

Affirmed. See *Hernandez v. State*, Case No. 3D10-2462 (Fla. 3d DCA Apr. 6, 2011).