

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM A.D., 2005

OSMEL ALVAREZ,	**	
Appellant,	**	
vs.	**	CASE NO. 3D04-1028
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 98-35635

Opinion filed December 14, 2005.

An Appeal from the Circuit Court for Miami-Dade County,
Dennis J. Murphy, Judge.

Woodward & Reizenstein and Philip L. Reizenstein, for
appellant.

Charles J. Crist, Jr., Attorney General and Douglas J.
Glad (Ft. Lauderdale), Assistant Attorney General, for
appellee.

Before LEVY and SHEPHERD, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

The order below, entered after an extensive evidentiary
hearing, denied the appellant's application for relief from a

judgment affirmed in *Alvarez v. State*, 774 So. 2d 802 (Fla. 3d DCA 2000), review denied, 791 So. 2d 1094 (Fla. 2001), on grounds of ineffective assistance of trial counsel. That order is itself affirmed. See *Florida v. Nixon*, 543 U.S. 175, 125 S. Ct. 551, 160 L. Ed. 2d 565 (2004); *Strickland v Washington*, 466 U.S. 668, 104 S. Ct. 2052, 80 L. Ed. 2d 674 (1984).

Affirmed.