IN THE DISTRICT COURT OF APPEAL FIRST DISTRICT, STATE OF FLORIDA

LAZARO ANGEL-BELLO, NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D12-513

STATE OF FLORIDA,

Appellee.

Opinion filed July 11, 2012.

An appeal from the Circuit Court for Duval County. Thomas Beverly, Judge.

Lazaro Angel-Bello, pro se, Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED. <u>See Hernandez v. State</u>, 61 So. 3d 1144 (Fla. 3d DCA 2011) (holding <u>Padilla v. Kentucky</u>, 130 S. Ct. 1473 (2010), shall not be applied retroactively), <u>rev. granted</u>, 81 So. 3d 414 (Fla. 2012).

WOLF, ROWE, and SWANSON, JJ., CONCUR.