

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2011*

**ERIC DIAZ GONZALEZ,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D09-4636

[July 13, 2011]

PER CURIAM.

*Affirmed. See Eugene v. State*, 53 So. 3d 1104 (Fla. 4th DCA 2011).

MAY, C.J., WARNER and POLEN, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Lucy Chernow Brown, Judge; L.T. Case No. 2009CF 004734AMB.

Carey Haughwout, Public Defender, and James W. McIntire, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***