

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2012

JACOB A. GARBUTT,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D11-2940

[July 5, 2012]

PER CURIAM.

Affirmed. See Smith v. State, 85 So. 3d 551 (Fla. 4th DCA 2012);
Hernandez v. State, 61 So. 3d 1144 (Fla. 3d DCA 2011), *rev. granted* 81
So. 3d 414 (Fla. 2012).

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

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for
the Seventeenth Judicial Circuit, Broward County; Cynthia Imperato,
Judge; L.T. Case No. 05-8996 CF10A.

Michelle Estlund of Michelle A. Estlund, P.A., Coral Gables, for
appellant.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.