

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

GUSTAVO ALVAREZ,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D12-1123

[November 21, 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).

HAZOURI, CIKLIN and LEVINE, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for
the Fifteenth Judicial Circuit, Palm Beach County; Stephen Rapp, Judge;
L.T. Case No. 1995CF7904AXX.

Brian Balaguera, West Palm Beach, for appellant.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.