

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2013*

**CARMEN CECILIA SARMIENTO AVILA** a/k/a **CARMEN ESCOBAR,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D12-3916

[May 22, 2013]

PER CURIAM.

*Affirmed. Chaidez v. United States*, 133 S. Ct. 1103 (2013);  
*Hernandez v. State*, 37 Fla. L. Weekly S730 (Fla. November 21, 2012).

GROSS, GERBER and LEVINE, JJ., concur.

\* \* \*

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael A. Robinson, Judge; L.T. Case No. 97-019679 CF10A.

Sui Chung of Immigration Law & Litigation Group, Miami, and Michael Vastine, Miami Gardens, for appellant.

No appearance required for appellee.

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