

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

**CARLOS MORENO,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D12-681

[October 17, 2012]

PER CURIAM.

*Affirmed. Hernandez v. State*, 61 So. 3d 1144 (Fla. 3d DCA 2011), *rev. granted*, 81 So. 3d 414 (Fla. 2012); *Davis v. State*, 69 So. 3d 315 (Fla. 4th DCA 2011).

HAZOURI, CIKLIN and CONNER, JJ., concur.

\* \* \*

Appeal of order denying rule 3.850 motion from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Joseph Marx, Judge; L.T. Case No. 2007CF012137 AMB.

Bruce A. Rosenthal of Bruce A. Rosenthal Law Offices, P.L., Miami, for appellant.

No appearance required for appellee.

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