

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

VINCENT RICHARDS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D12-71

[October 31, 2012]

PER CURIAM.

Affirmed. *Padilla v. Kentucky*, 130 S.Ct. 1473 (2010), does not apply retroactively to convictions that were final at the time that decision issued. *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). Further, at the time of the plea, appellant was clearly advised, and acknowledged that he understood, that his plea could result in his deportation. *Flores v. State*, 57 So. 3d 218 (Fla. 4th DCA 2010).

Appellant's allegation that the drug statute is unconstitutional is without merit. *State v. Adkins*, 96 So. 3d 412 (Fla. 2012); *Maestas v. State*, 76 So. 3d 991 (Fla. 4th DCA 2011).

GROSS, HAZOURI and GERBER, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; David A. Haines, Judge; L.T. Case No. 05-10271 CF10A.

Fairuze Mohamed Sofia of the Sofia Law Firm, Fort Lauderdale, for appellant.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.