

Third District Court of Appeal

State of Florida

Opinion filed November 12, 2014.
Not final until disposition of timely filed motion for rehearing.

No. 3D12-271
Lower Tribunal No. 06-24237

Tony Brown,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Lisa S. Walsh,
Judge.

Carlos J. Martinez, Public Defender, and Manuel Alvarez, Assistant Public
Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Linda S. Katz, Assistant Attorney
General, for appellee.

Before ROTHENBERG, EMAS and SCALES, JJ.

PER CURIAM.

Affirmed. See Pearce v. State, 880 So. 2d 561, 571 (Fla. 2004) (stating that a trial court should not grant a motion for judgment of acquittal unless there is no legally sustainable view of the evidence which the jury might find favorable to the opposing party); E.B. v. State, 531 So. 2d 1053, 1054 (Fla. 3d DCA 1988) (holding that evidence offered to show its effect on one's state of mind, rather than for the truth of the matter it asserts, is not hearsay).