

# Third District Court of Appeal

## State of Florida

Opinion filed December 3, 2014.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D12-956  
Lower Tribunal No. 07-43686

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**James Cherry, III,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Victoria R. Brennan, Judge.

Carlos J. Martinez, Public Defender, and Robert Kalter, Assistant Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Michael W. Mervine, Assistant Attorney General, for appellee.

Before SALTER, FERNANDEZ and LOGUE, JJ.

PER CURIAM.

Affirmed.