## Third District Court of Appeal

## **State of Florida**

Opinion filed October 4, 2017. Not final until disposition of timely filed motion for rehearing.

> No. 3D16-1182 Lower Tribunal No. 09-40479

> > \_\_\_\_\_

Rafael Toirac-Aguilera, Appellant,

VS.

## The State of Florida,

Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Marisa Tinkler-Mendez, 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 EMAS, LOGUE, and LINDSEY, JJ.

PER CURIAM.

Affirmed.