

# **Third District Court of Appeal**

## **State of Florida**

Opinion filed September 6, 2017.  
Not final until disposition of timely filed motion for rehearing.

---

No. 3D16-1476  
Lower Tribunal No. 15-174A-K

---

**Richard Cordell Tolbert,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Monroe County, Mark H. Jones,  
Judge.

Carlos J. Martinez, Public Defender, and Jeffrey Paul DeSousa, Assistant  
Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Christina L. Dominguez, Assistant  
Attorney General, for appellee.

Before LAGOA, FERNANDEZ, and LINDSEY, JJ.

PER CURIAM.

Affirmed.