

# Third District Court of Appeal

## State of Florida

Opinion filed March 28, 2018.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D16-2533  
Lower Tribunal No. 90-29878B

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**Jose Oscar Duque,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An appeal from the Circuit Court for Miami-Dade County, Richard L. Hersch, Judge.

Carlos J. Martinez, Public Defender, and Harvey J. Sepler and Shannon Hemmendinger, Assistant Public Defenders, for appellant.

Pamela Jo Bondi, Attorney General, and Nikole Hiciano, Assistant Attorney General, for appellee.

Before SUAREZ, SCALES, and LUCK, JJ.

PER CURIAM.

Affirmed.