## Third District Court of Appeal

**State of Florida** 

Opinion filed March 27, 2019. Not final until disposition of timely filed motion for rehearing.

> No. 3D17-2531 Lower Tribunal No. 97-30018B

> > Lucner Joseph, Appellant,

> > > VS.

The State of Florida, Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Diane V. Ward, Judge.

Daniel Tibbitt, for appellant.

Ashley Moody, Attorney General, and Marlon J. Weiss and Michael W. Mervine, Assistant Attorneys General, for appellee.

Before EMAS, C.J., and LOGUE and HENDON, JJ.

PER CURIAM.

Affirmed.