

Third District Court of Appeal

State of Florida

Opinion filed March 13, 2019.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-0128
Lower Tribunal No. 13-18883

Adolfo Irvin Rodriguez Garcia,
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, Martin Zilber, Judge.

Adolfo Irvin Rodriguez Garcia, in proper person.

Ashley Moody, Attorney General, for appellee.

Before SALTER, LINDSEY, and MILLER, JJ.

PER CURIAM.

Affirmed. See § 784.03(2), Fla. Stat. (2018) (“A person who has one prior conviction for battery, aggravated battery, or felony battery and who commits any second or subsequent battery commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this subsection, ‘conviction’ means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.”).