

# Third District Court of Appeal

## State of Florida

Opinion filed August 26, 2020.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D19-1730  
Lower Tribunal No. 10-32697

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**Ramon Diaz,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Miguel M. de la O, Judge.

Carlos J. Martinez, Public Defender, and Deborah Prager, Assistant Public Defender, for appellant.

Ashley Moody, Attorney General, and Ivy R. Ginsberg, Assistant Attorney General, for appellee.

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

PER CURIAM.

Affirmed. See § 948.06(1)(g), Fla. Stat. (2017) (providing in pertinent part: “Upon the filing of an affidavit alleging a violation of probation or community control and following issuance of a warrant for such violation, a warrantless arrest under this section, or a notice to appear under this section, the probationary period is tolled until the court enters a ruling on the violation. Notwithstanding the tolling of probation, the court shall retain jurisdiction over the offender for any violation of the conditions of probation or community control that is alleged to have occurred during the tolling period.”); § 948.06(2)(g), Fla. Stat. (2017) (providing: “Notwithstanding s. 775.082, when a period of probation or community control has been tolled, upon revocation or modification of the probation or community control, the court may impose a sanction with a term that when combined with the amount of supervision served and tolled, exceeds the term permissible pursuant to s. 775.082 for a term up to the amount of the tolled period of supervision.”)