

# Third District Court of Appeal

State of Florida, July Term, A.D. 2007

Opinion filed December 19, 2007.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D06-950  
Lower Tribunal No. 04-8054

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**Roberto Urquiza,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Barbara Areces,  
Judge.

Bennett H. Brummer, Public Defender, and Robert Godfrey, Assistant  
Public Defender, for appellant.

Bill McCollum, Attorney General, and Magaly Rodriguez, Assistant  
Attorney General, for appellee.

Before RAMIREZ, ROTHENBERG and LAGOA, JJ.

PER CURIAM.

Affirmed. The complained-of evidentiary rulings do not rise to the level of  
abuse of discretion. See Penalver v. State, 926 So. 2d 1118, 1132 (Fla. 2006)

(stating that the admissibility of evidence falls within the sound discretion of the trial judge, and trial court's ruling will be not disturbed on appeal absent a showing of an abuse of discretion); Smith v. State, 866 So. 2d 51, 64 (Fla. 2004) (stating that the control of prosecutorial comments and conduct during closing arguments fall within the trial court's discretion, and trial court's ruling will not be disturbed on appeal absent a clear showing of an abuse of discretion).