## Third District Court of Appeal

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

Opinion filed November 7, 2007. Not final until disposition of timely filed motion for rehearing.

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No. 3D06-1325 Lower Tribunal No. 01-25316

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Victor Montesino,

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, Peter Adrien, Judge.

Andrew F. Rier, for appellant.

Bill McCollum, Attorney General, and Douglas J. Glaid, Assistant Attorney General, for appellee.

Before GERSTEN, C.J., and CORTIÑAS, J., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.