

Third District Court of Appeal

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

Opinion filed December 12, 2007.

Not final until disposition of timely filed motion for rehearing.

No. 3D07-605

Lower Tribunal No. 05-32438

Keith Major,

Appellant,

vs.

The State of Florida,

Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Dennis J. Murphy, Judge.

Robert I. Barrar, for appellant.

Bill McCollum, Attorney General, and Lunar Claire Alvey, Assistant Attorney General, for appellee.

Before WELLS and LAGOA, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Because we conclude that the mistaken statutory reference in the charging document did not affect the appellant's substantial rights, see *DuBoise v. State*, 520 So. 2d 260 (Fla. 1988), the convictions and sentences under review are affirmed.