Third District Court of Appeal

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

Opinion filed October 24, 2007. Not final until disposition of timely filed motion for rehearing.

> No. 3D07-2446 Lower Tribunal No. 89-26997

> > Michael Smalls, Appellant,

> > > vs.

The State of Florida, Appellee.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Miami-Dade County, Beatrice Butchko, Judge.

Michael Smalls, in proper person.

Bill McCollum, Attorney General, for appellee.

Before RAMIREZ, SUAREZ and ROTHENBERG, JJ.

PER CURIAM.

Affirmed. See Bates v. State, 887 So. 2d 1214 (Fla. 2004).