

# Third District Court of Appeal

State of Florida, July Term, A.D. 2009

Opinion filed December 23, 2009.

Not final until disposition of timely filed motion for rehearing.

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No. 3D08-1762

Lower Tribunal No. 06-30843

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**Darryl Flenory,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Ellen L. Leesfield, Judge.

Carlos J. Martinez, Public Defender, and Leslie Scalley, Assistant Public Defender, for appellant.

Bill McCollum, Attorney General, and Natalia Costea, Assistant Attorney General, for appellee.

Before GERSTEN, SHEPHERD and CORTIÑAS, JJ.

PER CURIAM.

Affirmed. See Riggins v. State, 830 So. 2d 920, 921 (Fla. 4th DCA 2002).