## Third District Court of Appeal

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

Opinion filed December 30, 2009. Not final until disposition of timely filed motion for rehearing.

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No. 3D08-1927 Lower Tribunal No. 05-7346

Luis Villanueva,

Appellant,

VS.

## The State of Florida,

Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Peter Lopez, Judge.

Carlos J. Martinez, Public Defender, and Howard K. Blumberg, Assistant Public Defender, for appellant.

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

Before COPE, SUAREZ, and SALTER, JJ.

PER CURIAM.

Affirmed.