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.

> No. 3D08-2164 Lower Tribunal No. 07-3914

> > Abel Silva, Appellant,

> > > vs.

The State of Florida, Appellee.

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

Bruce A. Rosenthal, for appellant.

Bill McCollum, Attorney General, and Rolando A. Soler, Assistant Attorney General, for appellee.

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

PER CURIAM.

Affirmed.