

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D., 2001

ROHITER PENA,

**

Appellant,

**

vs.

**

CASE NO. 3D00-2830

THE STATE OF FLORIDA,

**

LOWER

TRIBUNAL NO. 99-11936

Appellee.

**

Opinion filed November 21, 2001.

An Appeal from the Circuit Court for Miami-Dade County,
Ronald Dresnick, Judge.

Bennett Brummer, Public Defender, and Margaret Brodsky,
Special Assistant Public Defender, for appellant.

Robert A. Butterworth, Attorney General, and Kristine
Keaton, Assistant Attorney General (Fort Lauderdale), for
appellee.

Before GERSTEN, GREEN, and FLETCHER, JJ.

PER CURIAM.

Affirmed. See §784.08, Fla. Stat. (1999).