

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

STATE OF FLORIDA,

**

Appellant,

**

vs.

** CASE NO. 3D00-3157

HERMAN THOMAS,

** LOWER

Appellee.

TRIBUNAL NO. 00-9168

**

Opinion filed July 25, 2001.

An Appeal from the Circuit Court for Miami-Dade County,
Manuel Crespo, Judge.

Robert A. Butterworth, Attorney General, and Steven R.
Berger, Assistant Attorney General, for appellant.

Bennett H. Brummer, Public Defender, and Bruce A. Rosenthal,
Assistant Public Defender, for appellee.

Before LEVY, GERSTEN and SORONDO, JJ.

PER CURIAM.

Affirmed. State v. Henriquez, 717 So. 2d 1087 (Fla. 3d DCA
1998).