

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

JOSE ANTONIO CRUZ,	**	
Appellant,	**	
vs.	**	CASE NO. 3D00-3297
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 95-38931

Opinion filed September 19, 2001.

An Appeal from the Circuit Court for Dade County, Richard V. Margolius, Judge.

Bennett H. Brummer, Public Defender and Manuel Alvarez, Assistant Public Defender, for appellant.

Robert A. Butterworth, Attorney General and John D. Barker, Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., and COPE and GODERICH, JJ.

PER CURIAM.

After the evidentiary hearing required by Cruz v. State, 760 So. 2d 1095 (Fla. 3d DCA 2000), on "the issue of defense counsel's alleged ineffectiveness in failing to investigate and produce medical testimony concerning the extent of the victim's injuries," Cruz, 760 So. 2d at 1095, the trial court found that counsel had

not been ineffective. Cruz again appeals but we find no error in this ruling. *Strickland v. Washington*, 466 U.S. 668, 104 S. Ct. 2052, 80 L.Ed.2d 674 (1984); *Johnson v. State*, 769 So. 2d 990 (Fla. 2000); *Gonzalez v. State*, 579 So. 2d 145 (Fla. 3d DCA 1991).

Affirmed.