

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, 2001

THE STATE OF FLORIDA,

\*\*

Appellant,

\*\*

vs.

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CASE NO. 3D00-3445

MONSERRATE RODRIGUEZ,

\*\*

LOWER

TRIBUNAL NO. 87-19184

Appellee.

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Opinion filed August 15, 2001.

An appeal from the Circuit Court for Dade County, Robert N. Scola, Judge.

Robert A. Butterworth, Attorney General, and Michael Neimand, Assistant Attorney General, and Ana Cristina Lloyd, Certified Legal Intern, for appellant.

Bennett H. Brummer, Public Defender, and Andrew Stanton, Assistant Public Defender, for appellee.

Before JORGENSEN, GODERICH and SHEVIN, JJ.

PER CURIAM.

We find that the trial court did not abuse its discretion

and properly evaluated the four factors enumerated in Barker v. Wingo, 407 U. S. 514, 530 (1972)(holding that four of the factors that courts should assess in determining whether a particular defendant has been deprived of his right to a speedy trial are length of delay, the reason for the delay, the defendant's assertion of his right, and prejudice to the defendant), to determine whether a constitutional speedy trial violation had occurred.

Accordingly, we affirm.