

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

DAVID MARTINEZ,	**	
Appellant,	**	
vs.	**	CASE NO. 3D01-1716
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 91-32100

Opinion filed September 5, 2001.

An Appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit Court for Dade County, Dennis J. Murphy, Judge.

David Martinez, in proper person.

Robert A. Butterworth, Attorney General, for appellee.

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

PER CURIAM.

Affirmed. See Major v. State, ___ So. 2d ___ (Fla. 3d DCA Case no. 3D01-1180, opinion filed, July 18, 2001)[26 FLW D1731].