

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

EMANUEL McNAIR,

\*\*

Appellant,

\*\*

CASE NO. 3D01-2372

\*\*

vs.

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THE STATE OF FLORIDA,

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LOWER TRIBUNAL  
CASE NO. 82-25610

Appellee.

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Opinion filed September 26, 2001.

An Appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit  
Court of Dade County, David C. Miller, Judge.

Emanuel McNair, in proper person.

Robert A. Butterworth, Attorney General, for appellee.

Before SCHWARTZ, C.J., and FLETCHER, and RAMIREZ, JJ.

PER CURIAM.

Affirmed. See Espinosa v. State, 785 So. 2d 583 (Fla. 3d DCA  
2001).