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

VICTOR V. TORRES, **

Appellant, **

vs. ** CASE NO. 3D01-2462

THE STATE OF FLORIDA, ** LOWER

TRIBUNAL NO. 97-11643

Appellee. **

Opinion filed September 26, 2001.

An appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Dade County, Victoria S. Sigler, Judge.

Victor V. Torres, in proper person.

Robert A. Butterworth, Attorney General, for appellee.

Before COPE, GREEN and SHEVIN, JJ.

PER CURIAM.

Affirmed. <u>Hepburn v. State</u>, 778 So. 2d 448 (Fla. 3d DCA 2001); <u>McKnight v. State</u>, 773 So. 2d 577 (Fla. 3d DCA 2000).