

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

FRANCISCO JAVIER RODRIGUEZ

\*\*

Appellant,

\*\*

vs.

\*\* CASE NO. 3D01-2721

THE STATE OF FLORIDA,

\*\* LOWER

TRIBUNAL NO. 94-108

Appellee.

\*\*

Opinion filed October 31, 2001.

An Appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit  
Court for Monroe County, Ruth Becker, Judge.

Francisco Javier Rodriguez, in proper person.

Robert A. Butterworth, Attorney General, for appellee.

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

PER CURIAM.

Affirmed. See Major v. State, 790 So. 2d 550 (Fla. 3d DCA  
2001), review granted, \_\_\_ So. 2d \_\_\_ (Fla. Case no. SC01-1811,  
October 10, 2001).