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., 2002

FLAVIO GAVINO, **

Appellant, **

vs. ** CASE NO. 3D01-3150

THE STATE OF FLORIDA, ** LOWER

TRIBUNAL NOS. 93-00686

Appellee. ** 92-21877 90-24155

Opinion filed October 16, 2002.

An Appeal from the Circuit Court for Miami-Dade County, Jose M. Rodriguez, Judge.

Flavio Gavino, in proper person.

Robert A. Butterworth, Attorney General, and Paulette R. Taylor, Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., and GERSTEN, J., and NESBITT, Senior Judge.

PER CURIAM.

Affirmed. See Major v. State, 814 So. 2d 424 (Fla. 2002).