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

JOSE MIGUEL SALDANE, \*\*

Appellant, \*\*

vs. \*\* CASE NO. 3D02-234

THE STATE OF FLORIDA, \*\* LOWER

TRIBUNAL NO. 94-11979

Appellee. \*\*

Opinion filed December 26, 2002.

An Appeal from the Circuit Court for Miami-Dade County, Ronald C. Dresnick, Judge.

Bennett H. Brummer, Public Defender, and Harvey J. Sepler, Assistant Public Defender, for appellant.

Richard E. Doran, Attorney General, and Jill K. Traina, Assistant Attorney General, for appellee.

Before LEVY, SHEVIN and RAMIREZ, JJ.

PER CURIAM.

Affirmed. <u>See Thompson v. State</u>, 759 So. 2d 650, 664 (Fla. 2000); <u>Williams v. State</u>, 673 So. 2d 960 (Fla. 1st DCA 1996).