NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

THIRD DISTRICT

JANUARY TERM, A.D. 2004

CARLOS CORDERO,

Appellant, \*\*

vs. \*\* CASE NO. 3D02-1576

THE STATE OF FLORIDA, \*\* LOWER

TRIBUNAL NO. 00-11889

Appellee. \*\*

Opinion filed March 3, 2004.

An Appeal from the Circuit Court for Miami-Dade County, Lawrence A. Schwartz, Judge.

Bennett H. Brummer, Public Defender, and Bruce A. Rosenthal, Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General, and Paulette R. Taylor, Assistant Attorney General, for appellee.

Before GERSTEN, SHEVIN and SHEPHERD, JJ.

PER CURIAM.

Affirmed. Phoenix v. State, 455 So. 2d 1024 (Fla. 1984).