

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. 2004

TYRONE SMITH,

**

Appellant,

**

vs.

** CASE NO. 3D02-2508

THE STATE OF FLORIDA,

**

Appellee.

** LOWER
TRIBUNAL NO. 98-24754
**

Opinion filed December 22, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Pedro P. Echarte, Jr., Judge.

Tyrone Smith, in proper person.

Charles J. Crist, Jr., Attorney General, and Michael E.
Hantman, Assistant Attorney General, for appellee.

Before COPE, RAMIREZ and WELLS, JJ.

PER CURIAM.

Affirmed. State v. Garcia, 431 So. 2d 651 (Fla. 3d DCA
1983).