

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

| | | |
|-----------------------|----|--------------------------------|
| ENRIQUE MONTENEGRO, | ** | |
| Appellant, | ** | |
| vs. | ** | CASE NO. 3D02-3115 |
| THE STATE OF FLORIDA, | ** | |
| Appellee. | ** | LOWER TRIBUNAL NO. 96-12672 |

Opinion filed June 30, 2004.

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

Enrique Montenegro, in proper person.

Charles J. Crist, Jr., Attorney General, and Thomas C. Mielke, Assistant Attorney General, for appellee.

Before COPE, RAMIREZ and SHEPHERD, JJ.

PER CURIAM.

Enrique Montenegro appeals an order denying his motion for postconviction relief under Florida Rule of Criminal Procedure 3.850, following an evidentiary hearing. As the trial court's

rulings are supported by competent substantial evidence, we affirm the order denying relief. See Machin v. State, 29 Fla. L. Weekly D467 (Fla. 3d DCA Feb. 25, 2004); Williams v. State, 808 So. 2d 267, 267 (Fla. 3d DCA 2002); Butler v. State, 807 So. 2d 88, 89 (Fla. 3d DCA 2001), review denied, 828 So. 2d 384 (Fla. 2002).

Affirmed.