

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

THE STATE OF FLORIDA,	**	
Appellant,	**	
vs.	**	CASE NO. 3D03-745
MARLING ALFARO,	**	LOWER
Appellee.	**	TRIBUNAL NO. 91-38415

Opinion filed March 17, 2004.

An Appeal from the Circuit Court for Miami-Dade County,  
Victoria S. Sigler, Judge.

Charles J. Crist, Jr., Attorney General, and Fredericka Sands,  
Assistant Attorney General, for appellant.

Martin G. McCarthy, for appellee.

Before GERSTEN, FLETCHER, and SHEVIN, JJ.

PER CURIAM.

Affirmed. See State v. Seraphin, 818 So. 2d 485 (Fla. 2002).