

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

|                       |    |                                       |
|-----------------------|----|---------------------------------------|
| TRACEY MILLER,        | ** |                                       |
| Appellant,            | ** |                                       |
| vs.                   | ** | CASE NO. 3D03-1230                    |
| THE STATE OF FLORIDA, | ** | LOWER                                 |
| Appellee.             | ** | TRIBUNAL NO. 98-40881 and<br>98-41157 |

Opinion filed February 25, 2004.

An Appeal from the Circuit Court for Miami-Dade County,  
Jose M. Rodriguez, Judge.

Frank A. Abrams, for appellant.

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

Before SCHWARTZ, C.J., and WELLS and SHEPHERD, JJ.

PER CURIAM.

We have for review the denial by the trial court of Appellant's Rule 3.850 Motion for Post Conviction Relief based on ineffective assistance of counsel. The trial court denied Miller's motion after an evidentiary hearing at which Appellant was afforded

a full and fair opportunity to present evidence on his behalf and cross-examine his trial counsel. We find that the decision of the trial court to deny the motion was supported by competent substantial evidence. Blanco v. State, 702 So. 2d 1250 (Fla. 1997).

Affirmed.