

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

NELSON PEREZ,

**

Appellant,

**

vs.

** CASE NO. 3D03-2097

THE STATE OF FLORIDA,

** LOWER

TRIBUNAL NO. 02-26128

Appellee.

**

Opinion filed August 11, 2004.

An Appeal under Florida Rule of Appellate Procedure 9.141(b) (2) from the Circuit Court for Miami-Dade County, Victoria S. Sigler, Judge.

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

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

Before GERSTEN, RAMIREZ, and WELLS, JJ.

PER CURIAM.

Affirmed. See K.E.A v. State, 802 So. 2d 410 (Fla. 3d DCA 2001).