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

* *

ANTONIO VENZAL,

* *

Appellant,

** CASE NO. 3D04-1944

VS.

* *

THE STATE OF FLORIDA,

Appellee.

** LOWER

TRIBUNAL NO. 90-29878

* *

Opinion filed August 25, 2004.

An Appeal under Fla.R.App.P. 9.141(b) (2) from the Circuit Court for Dade County, Rosa Rodriguez, Judge.

Antonio Venzal, in proper person.

Charles J. Crist, Jr., Attorney General, for appellee.

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

PER CURIAM.

Affirmed. See Lopez v. State, ___ So. 2d ___ (Fla. 3d DCA Case no. 3D04-1545, opinion filed, August 11, 2004).