

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

SAMUEL G. VELEZ,	**	
Appellant,	**	CASE NO. 3D04-2575
vs.	**	
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 90-16875

Opinion filed November 10, 2004.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the
Circuit Court of Miami-Dade County, Israel Reyes, Judge.

Samuel G. Velez, in proper person.

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

Before GREEN, FLETCHER and RAMIREZ, JJ.

PER CURIAM.

Affirmed. See Hernandez v. State, 575 So. 2d 640, 642 (Fla.
1991) (stating that "Our case law holds that a departure

sentence may be proper where a person's criminal record exhibits an 'escalating course' of criminality"), citing Keys v. State, 500 So. 2d 134, 135 (Fla. 1986).