Third District Court of Appeal

State of Florida, July Term, A.D. 2011

Opinion filed November 16, 2011. Not final until disposition of timely filed motion for rehearing.

> No. 3D10-569 Lower Tribunal No. 07-35357

Thomas Dwain Davis, Appellant,

vs.

The State of Florida, Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Julio Jimenez, Judge.

Carlos J. Martinez, Public Defender, and Robert Kalter, Assistant Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Nicholas Merlin, Assistant Attorney General, for appellee.

Before SALTER and FERNANDEZ, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.