## Third District Court of Appeal

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

Opinion filed December 28, 2011. Not final until disposition of timely filed motion for rehearing.

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No. 3D10-1968 Lower Tribunal No. 09-2589

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## Roberto Rodriguez,

Appellant,

VS.

## The State of Florida,

Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Mary Barzee Flores, Judge.

Carlos J. Martinez, Public Defender, and Daniel Tibbitt, Assistant Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Jill D. Kramer, Assistant Attorney General, for appellee.

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

PER CURIAM.

Affirmed.