

# Third District Court of Appeal

State of Florida, July Term, A.D. 2012

Opinion filed October 17, 2012.

Not final until disposition of timely filed motion for rehearing.

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No. 3D11-1655

Lower Tribunal No. 08-15234

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**Brandon Gardner,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Monica Gordo,  
Judge.

Carlos J. Martinez, Public Defender, Michael T. Davis, Assistant Public  
Defender, and Same Perlmutter, Certified Legal Intern, for appellant.

Pamela Jo Bondi, Attorney General, and Joanne Diez, Assistant Attorney  
General, for appellee.

Before SHEPHERD, SUAREZ and CORTIÑAS, JJ.

PER CURIAM.

Affirmed.