

Third District Court of Appeal

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

Opinion filed July 10, 2013.

Not final until disposition of timely filed motion for rehearing.

No. 3D12-3192

Lower Tribunal No. 91-30316-E

Nakia Huggins,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Bronwyn C. Miller, Judge.

Nakia Huggins, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before ROTHENBERG and EMAS, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM

Affirmed. See *Geter v. State*, 37 Fla. L. Weekly D2283 (Fla. 3d DCA Sept. 27, 2012).

ROTHENBERG, J., AND SCHWARTZ, Senior Judge, concur.

EMAS, J., dissenting.

For the reasons expressed in my dissent to the denial of motion for rehearing en banc in Geter v. State, 3D12-1736 (Fla. 3d DCA June 26, 2013), I respectfully dissent from the majority opinion in the instant case to the extent it holds that the rule announced in Miller v. Alabama, 132 S. Ct. 2455 (2012) does not apply retroactively to cases already final on direct appeal.