

Third District Court of Appeal

State of Florida

Opinion filed January 29, 2014.
Not final until disposition of timely filed motion for rehearing.

No. 3D13-3064
Lower Tribunal No. 99-25817

Ronald Johnson,
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, Ariana Fajardo, Judge.

Ronald Johnson, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before ROTHENBERG, EMAS and LOGUE, JJ.

PER CURIAM.

Affirmed. See Geter v. State, 115 So. 3d 375 (Fla. 2012).

ROTHENBERG and LOGUE, JJ., concur.

EMAS, J., dissenting.

For the reasons expressed in my dissent to the denial of motion for rehearing en banc in Geter v. State, 115 So. 3d 385 (Fla. 3d DCA 2013), I respectfully dissent from the majority's affirmance of 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. See also Falcon v. State, 111 So. 3d 973 (Fla. 1st DCA 2013), review granted, No. SC13-865 (Fla. 2013).