

Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed May 7, 2008.

Not final until disposition of timely filed motion for rehearing.

No. 3D06-273

Lower Tribunal No. 99-26641

Octavio Hernandez,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Daryl Trawick,
Judge.

Bennett H. Brummer, Public Defender, and Robert Kalter, Assistant Public
Defender, for appellant.

Bill McCollum, Attorney General, and Lisa A. Davis, Assistant Attorney
General, for appellee.

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

PER CURIAM.

Affirmed. See *Martinez v. State*, ___ So. 2d ___ (Fla. Case no. SC06-
1597, opinion filed, Feb. 21, 2008) [33 Fla. L. Weekly S125]; *Permenter v. State*,

___ So. 2d ___ (Fla. 4th DCA Case no. 4D07-2373, opinion filed, Apr. 16, 2008); Farmer v. State, 975 So. 2d 1275 (Fla. 4th DCA 2008).