

# **Third District Court of Appeal**

**State of Florida, July Term, A.D. 2008**

Opinion filed July 16, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D06-642  
Lower Tribunal No. 02-35420

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**Josue Cotto,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Diane Ward,  
Judge.

Bennett H. Brummer, Public Defender, and Shannon McKenna, Assistant  
Public Defender, for appellant.

Bill McCollum, Attorney General, and Michael C. Greenberg, Assistant  
Attorney General, for appellee.

Before WELLS and CORTIÑAS, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.