

# Third District Court of Appeal

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

Opinion filed May 14, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D06-1026  
Lower Tribunal No. 05-10933

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**Jorge Mitjans,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Gill S. Freeman,  
Judge.

Robbins, Tunkey, Ross, Amsel, Raben & Waxman and Benjamin S. Waxman,  
for appellant.

Bill McCollum, Attorney General, and Jerome Smiley, Jr., Assistant Attorney  
General, for appellee.

Before GERSTEN, C.J., and WELLS and CORTIÑAS, JJ.

PER CURIAM.

Affirmed.