

# Third District Court of Appeal

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

Opinion filed September 10, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D06-1674  
Lower Tribunal No. 03-14138

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**Erick Benerson,**  
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, William Thomas, Judge.

Ray Shearn, for appellant.

Bill McCollum, Attorney General, and Juliet S. Fattel, Assistant Attorney General, for appellee.

Before GERSTEN, C.J., and LAGOA and SALTER, JJ.

PER CURIAM.

Affirmed.