

# Third District Court of Appeal

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

Opinion filed June 4, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D06-1749

Lower Tribunal No. 03-26357

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**Omar Pozo,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Ivan F. Fernandez, Judge.

Bennett H. Brummer, Public Defender, and Leslie Anne Scalley, Special Assistant Public Defender, for appellant.

Bill McCollum, Attorney General, and Richard L. Polin and Timothy R.M. Thomas, Assistant Attorneys General, for appellee.

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

PER CURIAM.

Affirmed.