

# **Third District Court of Appeal**

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

Opinion filed October 22, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D06-1900  
Lower Tribunal No. 95-39053

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**Frank Johnson,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Alan R. Schwartz, Judge.

John H. Lipinski (Pembroke Pines); Robert Barrar, for appellant.

Bill McCollum, Attorney General, and Rolando A. Soler, Assistant Attorney General, for appellee.

Before RAMIREZ, SHEPHERD, and CORTIÑAS, JJ.

PER CURIAM.

Affirmed.