

# Third District Court of Appeal

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

Opinion filed July 23, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D07-2555

Lower Tribunal No. 07-12616

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**The State of Florida,**  
Appellant,

vs.

**Rudy Gonzalez,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, William Thomas, Judge.

Bill McCollum, Attorney General, and Nicholas A. Merlin, Assistant Attorney General, for appellant.

Bruce A. Rosenthal, for appellee.

Before WELLS, ROTHENBERG, and SALTER, JJ.

PER CURIAM.

Affirmed.