

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.

No. 3D07-2595
Lower Tribunal No. 98-4620

Gary Smith,
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, Diane Ward, Judge.

Andrew F. Rier, for appellant.

Bill McCollum, Attorney General, and Richard L. Polin, Assistant Attorney General, for appellee.

Before SHEPHERD, CORTIÑAS, and SALTER, JJ.

PER CURIAM.

Affirmed.