

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed March 25, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D07-3032

Lower Tribunal No. 06-3639

Jheremmy Marquez,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Peter Adrien, Judge.

Carlos J. Martinez, Public Defender, and Marti Rothenberg, Assistant Public Defender, for appellant.

Bill McCollum, Attorney General, and Linda S. Katz, Assistant Attorney General, for appellee.

Before SHEPHERD and SUAREZ, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

While defense objections to the prosecutor's final argument may have been incorrectly overruled, none of the remarks warranted a mistrial, which was the only

relief sought below. Hence, we find no abuse of discretion in the denial of those motions and affirm the conviction and sentence below. See *Lopez v. State*, 555 So. 2d 1298 (Fla. 3d DCA 1990).