

Third District Court of Appeal

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

Opinion filed July 16, 2008.

Not final until disposition of timely filed motion for rehearing.

No. 3D08-39

Lower Tribunal No. 07-3915

The State of Florida,
Appellant,

vs.

Sergio Hernandez,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Rosa I. Rodriguez, Judge.

Bill McCollum, Attorney General, and Heidi Milan Caballero, Assistant Attorney General, for appellant.

Bennett H. Brummer, Public Defender, and Thomas Regnier, Assistant Public Defender, for appellee.

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

PER CURIAM.

Affirmed.