

# Third District Court of Appeal

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

Opinion filed July 15, 2009.

Not final until disposition of timely filed motion for rehearing.

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No. 3D08-324

Lower Tribunal No. 06-21

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**Eniel Planas,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Monroe County, Ruth Becker, Judge.

Carlos J. Martinez, Public Defender, and Robert Kalter, Assistant Public Defender, for appellant.

Bill McCollum, Attorney General, and Lunar Claire Alvey, Assistant Attorney General, for appellee.

Before SHEPHERD, CORTIÑAS, and LAGOVA, JJ.

PER CURIAM.

Affirmed.