

Third District Court of Appeal

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

Opinion filed October 14, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D08-633

Lower Tribunal No. 99-28184-A

David J. Payne,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Barbara Areces, Judge.

Joseph P. George, Jr., Criminal Conflict and Civil Regional Counsel, Third Region, and Dan Hallenberg and Mark Graham Hanson, Assistant Regional Counsel, for appellant.

Bill McCollum, Attorney General, and Jill D. Kramer, Assistant Attorney General, for appellee.

Before CORTIÑAS and LAGOA, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed. See Melendez v. State, 718 So. 2d 746, 747-48 (Fla. 1998).