

# Third District Court of Appeal

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

Opinion filed May 7, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D08-644

Lower Tribunal Nos. 01-4129; 92-8114; 92-10079

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**Marcus Tolbert,**  
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, Dennis J. Murphy, Judge.

Marcus Tolbert, in proper person.

Bill McCollum, Attorney General, for appellee.

Before GERSTEN, C.J., and WELLS and SALTER, JJ.

PER CURIAM.

Affirmed.