

# Third District Court of Appeal

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

Opinion filed July 30, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-1052  
Lower Tribunal No. 04-315

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**Manuel Herbert,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Wayne Miller, Judge.

Manuel Herbert, in proper person.

Bill McCollum, Attorney General, for appellee.

Before RAMIREZ, SUAREZ, and CORTIÑAS, JJ.

PER CURIAM.

Affirmed.