

**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. 3D08-1142  
Lower Tribunal No. 82-11

---

**Jose Gallardo,**  
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, Orlando A. Prescott, Judge.

Jose Gallardo, in proper person.

Bill McCollum, Attorney General, for appellee.

Before WELLS, ROTHENBERG, and SALTER, JJ.

PER CURIAM.

Affirmed.