

# Third District Court of Appeal

State of Florida, January Term, A.D. 2010

Opinion filed January 27, 2010.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-1415  
Lower Tribunal No. 07-35394

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**Edward Smith,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, William Thomas, Judge.

Carlos J. Martinez, Public Defender, and Howard K. Blumberg, Assistant Public Defender, for appellant.

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

Before GERSTEN, WELLS, and ROTHENBERG, JJ.

PER CURIAM.

Affirmed.