

**Third District Court of Appeal**  
**State of Florida, July Term, A.D. 2008**

Opinion filed October 1, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-1863  
Lower Tribunal Nos. 97-11866; 95-6392

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**Nathan Lee Payne,**  
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, Norman S. Gerstein, Judge.

Nathan Lee Payne, in proper person.

Bill McCollum, Attorney General, for appellee.

Before RAMIREZ, and ROTHENBERG, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.