

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

Opinion filed September 3, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-1981  
Lower Tribunal Nos. 05-36584; 05-25555A

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**Marlin Silva,**  
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, Barbara Areces, Judge.

Marlin Silva, in proper person.

Bill McCollum, Attorney General, for appellee.

Before GERSTEN, C.J., and ROTHENBERG, J., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.