

# Third District Court of Appeal

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

Opinion filed February 17, 2010.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-3012  
Lower Tribunal No. 07-43321

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**Oscar Banden Burns,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Barbara Areces,  
Judge.

Rasco Klock Reininger Perez and Joseph P. Klock, Jr., for appellant.

Bill McCollum, Attorney General, and Ansley B. Peacock, Assistant  
Attorney General, for appellee.

Before SHEPERD and SUAREZ, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.