

# Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed February 4, 2009.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-3283  
Lower Tribunal No. 90-38184

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**James H. Kelley,**  
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, Reemberto Diaz, Judge.

James H. Kelley, in proper person.

Bill McCollum, Attorney General, for appellee.

Before CORTIÑAS, ROTHENBERG, and LAGOA, JJ.

PER CURIAM.

Affirmed.