

**Third District Court of Appeal**  
**State of Florida, January Term, A.D. 2009**

Opinion filed May 20, 2009.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D09-528  
Lower Tribunal No. 94-64

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**Thomas J. Gilbert,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Wayne M. Miller, Judge.

Thomas J. Gilbert, in proper person.

Bill McCollum, Attorney General, for appellee.

Before WELLS, ROTHENBERG, and LAGOA, JJ.

PER CURIAM.

Affirmed.