

# Third District Court of Appeal

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

Opinion filed July 21, 2010.

Not final until disposition of timely filed motion for rehearing.

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No. 3D09-614

Lower Tribunal No. 03-17371

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**Charvis H. Darby,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Julio Jimenez, Judge.

Carlos J. Martinez, Public Defender, and Harvey J. Sepler, Assistant Public Defender, for appellant.

Bill McCollum, Attorney General, and Michael C. Greenberg, Assistant Attorney General, for appellee.

Before GERSTEN, SHEPHERD and LAGOVA, JJ.

PER CURIAM.

Affirmed. See Hines v. State, 358 So. 2d 183 (Fla. 1978).