

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL
CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

APPELLATE CASE NO. 07-AP-27
LOWER COURT CASE NO. 2002-MM-12249-O

JUAN CARLOS MORENO

Appellant,

vs.

STATE OF FLORIDA,

Appellee.

_____ /

Appeal from the County Court for Orange County,
Florida, Mark D. Wixtrom, County Court Judge

James C. Dauksch, III, Esquire, for Appellant

No Appearance for Appellee

Before FLEMING, MIHOK, and BRONSON, J.J.

PER CURIAM.

FINAL ORDER AFFIRMING TRIAL COURT

Juan Carlos Moreno (herein "Appellant") appeals the summary denial of his Motion to Vacate / Set Aside Judgment and Sentence, rendered April 17, 2007, in case number 2002-MM-12249-O. This Court has jurisdiction pursuant to Florida Rule of Appellate Procedure 9.030(c)(1).

On November 20, 2002, Appellant was convicted of possession of cannabis and possession of drug paraphernalia. He was sentenced the same day to probation. After violating probation, he was resentenced on October 17, 2003. He filed his Motion to Vacate / Set Aside Judgment and Sentence on June 20, 2006, alleging he had learned that year that his drug paraphernalia conviction had

... jeopardized him with the Immigration and Naturalization Services in that Defendant will not be allowed any further work visa or citizenship. Thus, Defendant genuinely fears