

# Third District Court of Appeal

State of Florida, July Term, A.D. 2008

Opinion filed December 31, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D07-2154  
Lower Tribunal No. 05-7243

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**Gary Sprauve,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Ellen Sue Venzler, Judge.

Bennett H. Brummer, Public Defender and Manuel Alvarez, Assistant Public Defender, for appellant.

Bill McCollum, Attorney General and Nikole Hiciano, Assistant Attorney General, for appellee.

Before COPE, RAMIREZ, and ROTHENBERG, JJ.

PER CURIAM.

Affirmed.