

# **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.