

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2007*

**STATE OF FLORIDA,**  
Appellant,

v.

**DEBORAH L. EZINSKI,**  
Appellee.

No. 4D06-2262

[February 7, 2007]

PER CURIAM.

The state appeals an order denying restitution for investigative costs, which consisted of an office manager spending time in order to calculate how much money was stolen from the company. The trial court concluded that office hours spent by the employee were not recoverable. Defendant recognizes, however, that the court was incorrect, but argues in the alternative that the evidence as to the amount of the costs was speculative. We conclude that the evidence was not speculative and accordingly reverse.

STEVENSON, C.J., KLEIN and SHAHOOD, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Okeechobee County; John E. Fennelly, Judge; L.T. Case No. 2005-CF-416A.

Bill McCollum, Attorney General, Tallahassee, and Melanie Dale Surber, Assistant Attorney General, West Palm Beach, for appellant.

Carey Haughwout, Public Defender and James W. McIntire, Assistant Public Defender, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing***