## NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED

|                               | IN THE DISTRICT COURT OF APPEAL |
|-------------------------------|---------------------------------|
|                               | OF FLORIDA                      |
|                               | SECOND DISTRICT                 |
| STATE OF FLORIDA, Petitioner, | )<br>)<br>)                     |
| V.                            | ) Case No. 2D04-2951            |
| VANESSA MICHELLE WILLIAMS,    | )                               |
| Respondent.                   | )                               |

Opinion filed April 27, 2005.

Petition for Writ of Certiorari to the Circuit Court for Polk County; Roger Allan Alcott, Judge.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Susan D. Dunlevy, Assistant Attorney General, Tampa, for Petitioner.

James Marion Moorman, Public Defender, and Richard J. Sanders, Assistant Public Defender, Bartow, for Respondent.

WALLACE, Judge.

Petition granted; order quashed. <u>See State v. Rygwelski</u>, No. 2D03-3877 (Fla. 2d DCA Apr. 22, 2005).

STRINGER and SILBERMAN, JJ., Concur.