## IN THE DISTRICT COURT OF APPEAL FIRST DISTRICT, STATE OF FLORIDA

STEVEN ALAN SPEAR,

Petitioner,

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D04-4725

JAMES V. CROSBY,

Respondent.

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Opinion filed December 29, 2005.

Petition for Writ of Certiorari -- Original Jurisdiction.

Petitioner, pro se.

Charlie Crist, Attorney General, and Warren James Pearson, Assistant Attorney General, Tallahassee, for Respondent.

PER CURIAM.

Pursuant to Florida Rule of Appellate Procedure 9.040(c), we treat this direct

appeal as a petition for writ of certiorari, and DENY.

ERVIN, DAVIS and LEWIS, JJ., CONCUR.