

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, )  
 )  
 v. )  
 )  
 NANCY DINISE SHEPPARD, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

Case No. 2D04-2579

Opinion filed April 27, 2005.

Petition for Writ of Certiorari to the Circuit  
Court for Polk County; Dick Prince, 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. See State v. Rygwelski, No. 2D03-3877

(Fla. 2d DCA Apr. 22, 2005).

NORTHCUTT and KELLY, JJ., Concur.