

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

JANUARY TERM 2009

VICTOR M. REYES, JR.,

Appellant,

v.

Case No. 5D07-4224

STATE OF FLORIDA,

Appellee.

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Opinion filed March 6, 2009

Appeal from the Circuit Court  
for Brevard County,  
Meryl Allawas, Judge.

James S. Purdy, Public Defender,  
and Thomas J. Lukashow, Assistant  
Public Defender, Daytona Beach, for  
Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Robin A. Compton,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Victor M. Reyes appeals the order revoking his probation based on his commission of a civil traffic infraction for speeding. When Reyes was originally sentenced, the trial judge admonished Reyes: "When you do start driving, I don't ever expect to hear you're exceeding the speed limit at all." However, there is nothing in the

record indicating that the trial court made this admonition a condition of Reyes' probation. Therefore, we reverse the order revoking probation.

REVERSED.

SAWAYA, GRIFFIN and EVANDER, JJ., concur.