

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

RAY JOSE WILLIS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D10-4154

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Opinion filed May 23, 2011.

An appeal from the Circuit Court for Escambia County.  
Linda L. Nobles, Judge.

Nancy A. Daniels, Public Defender; and Steven L. Seliger, Assistant Public  
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General; and Brooke Poland, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

The appellant pled no contest to a charge of possession of a firearm and  
ammunition by a convicted felon. Prior to his plea, the appellant had  
unsuccessfully moved to suppress the shotgun and shotgun shells that were seized

by deputies from the bedroom of the appellant's home. As the shotgun and shells were the only evidence of the crime, a ruling favorable to the appellant at trial would have required the dismissal of the charges. On appeal, the state concedes, rightfully, that exigent circumstances did not exist to search the appellant's bedroom without a warrant.

REVERSED and REMANDED with instructions to discharge the appellant.

WEBSTER, VAN NORTWICK, and ROBERTS, JJ., CONCUR.