

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2014

MARCUS KENNARD LEWIS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D13-1041

[November 19, 2014]

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Karen M. Miller, Judge; L.T. Case No. 2011CF000952AMB.

Carey Haughwout, Public Defender, and Louis G. Carres, Special Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

The defendant appeals from his conviction for robbery with a firearm while wearing a mask. He argues that the circuit court erred in denying his dispositive motion to suppress evidence obtained during his unlawful detention. He raised this same argument in a separate case because the evidence obtained was used in both cases. In that other case, *Lewis v. State*, 143 So. 3d 998 (Fla. 4th DCA 2014), we held that the circuit court erred in denying the defendant's motion to suppress. In light of that holding, the state has notified us that we should reverse the circuit court's denial of the defendant's motion to suppress in this case as well. We agree.

Reversed and remanded.

CIKLIN, GERBER and LEVINE, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.