

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**SHAWN ALVIN TRACEY,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D09-3565

[February 11, 2015]

**ON REMAND FROM  
THE FLORIDA SUPREME COURT**

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Matthew I. Destry, Judge; L.T. Case No. 07-22499CF10A.

Carey Haughwout, Public Defender, and Tatjana Ostapoff, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Sue-Ellen Kenny, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

In *Tracey v. State*, 152 So. 3d 504 (Fla. 2014), the Florida Supreme Court reversed our earlier decision. See *Tracey v. State*, 69 So. 3d 992 (Fla. 4th DCA 2011). Based on the mandate of the Supreme Court, we reverse the trial court's order denying appellant's motion to suppress and remand for further proceedings consistent with the Supreme Court's opinion.

*Reversed and Remanded.*

STEVENSON, GROSS and GERBER, JJ., concur.

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