

Third District Court of Appeal

State of Florida, July Term, A.D. 2011

Opinion filed August 03, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D10-563
Lower Tribunal No. 08-37758

Baldwin Drout,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Jacqueline Hogan Scola and Yvonne Colodny, Judges.

Carlos J. Martinez, Public Defender, and Harvey J. Sepler, Assistant Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Heidi Milan Caballero, Assistant Attorney General, for appellee.

Before WELLS, C.J., and ROTHENBERG and SALTER, JJ.

ROTHENBERG, J.

The sole issue raised in this appeal is whether the trial court erred in denying the defendant's motion to suppress his pre-Miranda¹ statements. Because the record fully supports the trial court's finding that the statements were spontaneously uttered and not the product of the functional equivalent of a police interrogation, we affirm. See Rhode Island v. Innis, 446 U.S. 291, 301 (1980); Rodriguez v. State, 906 So. 2d 1082, 1091 (Fla. 3d DCA 2004).

Affirmed.

¹ Miranda v. Arizona, 384 U.S. 436 (1966).