

Third District Court of Appeal

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

Opinion filed January 26, 2011.

No. 3D10-983
Lower Tribunal No. 07-43692

The State of Florida,
Appellant,

vs.

Rodney Bennett,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Diane Ward,
Judge.

Pamela Jo Bondi, Attorney General, and Jill D. Kramer, Assistant Attorney
General, for appellant.

Grey and Mourin and Juan Mourin, for appellee.

ON MOTION FOR REHEARING

Before SUAREZ, CORTIÑAS and LAGOA, JJ.

PER CURIAM.

The motion for rehearing is granted and this Court's opinion filed on
December 8, 2010 is hereby withdrawn. Based on the authority of State v. Cable,

35 Fla. L. Weekly S705 (Fla. Dec. 9, 2010), we grant the appellee's motion for rehearing, and we affirm the lower court's order granting the appellee's motion to suppress.

Affirmed.