

Third District Court of Appeal

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

Opinion filed November 16, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D10-2032
Lower Tribunal No. 08-15643

Andre Bishram,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Sarah Zabel, Judge.

Carlos J. Martinez, Public Defender, and Daniel Tibbitt, Assistant Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Nicholas Merlin, Assistant Attorney General, for appellee.

Before CORTIÑAS and ROTHENBERG, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed. See *State v. Morsman*, 394 So. 2d 408, 409 (Fla. 1981) (“Under Florida law it is clear that one does not harbor an expectation of privacy on a front

porch where salesmen or visitors may appear at any time.”); *Nieminski v. State*, 60 So. 3d 521, 527 (Fla. 2d DCA 2011) (“[I]f the address . . . had been a more traditional lot in a residential neighborhood surrounded by a white picket fence and a gate that closed but did not lock, no one would reasonably suggest that the knock and talk was improper or that officers were required to describe the picket fence in the affidavit used to obtain the warrant.”); see generally *Shapiro v. State*, 390 So. 2d 344, 347 (Fla. 1980) (“In order for [the defendant] to claim that his fourth amendment rights were violated, he must first establish that he had a reasonable expectation of privacy to be free from this particular intrusion.”).