

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

JERMAINE QUARTERMAN,

Appellant,

v.

CASE NO. 1D04-3297

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed May 27, 2005.

An appeal from an order of the Circuit Court for Duval County.

L. Page Haddock, Judge.

Nancy A. Daniels, Public Defender; Richard M. Summa, Assistant Public Defender,
Tallahassee, for appellant.

Charlie Crist, Attorney General; Charlie McCoy, Assistant Attorney General,
Tallahassee, for appellee.

PER CURIAM.

AFFIRMED.

WOLF, C.J., and DAVIS, J., CONCUR; BROWNING, J., CONCURS WITH
WRITTEN OPINION.

BROWNING, J., concurs with written opinion.

I concur in the majority opinion, and I write only to point out that the trial court erred by failing to allow defense counsel to use photographs to refresh Detective Elegino's memory. See Reid v. State, 799 So. 2d 394 (Fla. 4th DCA 2001). Nevertheless, I concur because the error is harmless.