

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2008

STATE OF FLORIDA,
Appellant,

v.

DONALD TESSIER,
Appellee.

No. 4D07-3833

October 29, 2008

PER CURIAM.

We reverse an order granting Tessier's motion to suppress evidence for reasons set out in the co-defendant's appeal, *State v. Powers*, No. 4D07-3974 (Fla. 4th DCA Oct. 15, 2008).

We remand for further proceedings.

STONE, GROSS and TAYLOR, JJ., concur.

* * *

Appeal of a non-final order from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John J. Murphy, III, Judge; L.T. Case No. 07-5202CF10A.

Bill McCollum, Attorney General, Tallahassee, and Laura Fisher Zibura, Assistant Attorney General, West Palm Beach, for appellant.

Russell L. Cormican of Kent & Cormican, P.A., Fort Lauderdale, for appellee.

Not final until disposition of timely filed motion for rehearing.