

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2011*

**STATE OF FLORIDA,**  
Appellant,

v.

**JAMES T. SOUTTER,**  
Appellee.

No. 4D10-953

[June 1, 2011]

PER CURIAM.

*Affirmed.* See *State v. Sun*, No. 4D10-3514 (Fla. 4th DCA June 1, 2011).

GROSS, C.J., HAZOURI and CIKLIN, JJ., concur.

\* \* \*

Appeal and cross-appeal of a non-final order from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; John S. Kastrenakes, Judge; L.T. Case No. 502009CF010683AXXXMB.

Pamela Jo Bondi, Attorney General, Tallahassee, and Myra J. Fried, Assistant Attorney General, West Palm Beach, for appellant.

Carey Haughwout, Public Defender, and Paul E. Petillo, Assistant Public Defender, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***