

IN THE SECOND DISTRICT COURT OF APPEAL, LAKELAND, FLORIDA

November 20, 2002

ESSIE CRAIG,)	
)	
Appellant,)	
)	
v.)	Case No. 2D00-1417
)	
STATE OF FLORIDA,)	
)	
Appellee.)	

BY ORDER OF THE COURT:

This court sua sponte grants rehearing in this matter. Accordingly, the opinion dated March 7, 2001, is withdrawn and the attached opinion is substituted for that opinion. No motions for rehearing will be entertained in this appeal.

I HEREBY CERTIFY THE FOREGOING IS A
TRUE COPY OF THE ORIGINAL COURT ORDER.

JAMES BIRK HOLD, CLERK

c: Chris M. Pratt, Esq.
Richard E. Doran, Attorney General
Sonya Roebuck Horbelt, Assistant Attorney General

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

ESSIE CRAIG,)	
)	
Appellant,)	
)	
v.)	Case No. 2D00-1417
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed November 20, 2002.

Appeal from the Circuit Court for Manatee County; Janette Dunnigan and Thomas M. Gallen, Judges.

Chris M. Pratt, Palmetto, for Appellant.

Richard E. Doran, Attorney General, Tallahassee, and Sonya Roebuck Horbelt, Assistant Attorney General, Tampa, for Appellee.

PER CURIAM.

Essie Craig appeals her conviction for felony possession of marijuana and the probationary term imposed as a result of that conviction. She specifically challenges the denial of her dispositive motion to suppress. The evidence against Ms. Craig was seized from her home during the execution of the same search warrant

involved in Randall v. State, 793 So. 2d 59 (Fla. 2d DCA 2001), in which this court reversed the denial of Ms. Randall's motion to suppress. Both Ms. Randall's case and Ms. Craig's case arose out of the same factual incident and the legal issues presented for consideration were identical. Accordingly, we reverse.

Reversed and remanded.

ALTENBERND,¹ CASANUEVA, and SALCINES, JJ., Concur.

¹ Judge Altenbernd has been substituted for Judge Patterson, who was on the original Craig panel.