

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JEFFREY ROBERT MULLVAIN,)	
)	
Appellant,)	
v.)	Case No. 2D00-5295
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed July 19, 2002.

Appeal from the Circuit Court for Pasco
County; William R. Webb, Judge.

James Marion Moorman, Public Defender,
and Tosha Cohen, Assistant Public
Defender, Bartow, for Appellant.

Robert A. Butterworth, Attorney General,
Tallahassee, and Helene S. Parnes,
Assistant Attorney General, Tampa, for
Appellee.

PER CURIAM.

Affirmed.

FULMER and CASANUEVA, JJ., Concur.
BLUE, C.J., Concur specially with opinion.

BLUE, Chief Judge, Specially concurring.

I concur in this suppression case because I agree that we must accept the credibility findings of the trial court. However, the arresting officer's testimony—that he first became suspicious of the defendant when he observed the defendant driving just below the speed limit in an area where everyone exceeds the limit—is, in my opinion, incredible.