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

,,			
		IN THE DIS	TRICT COURT OF APPEAL
		OF FLORIDA	
		SECOND DISTRICT	
WILLIE HARRELL	Appellant,))) Case No. 2D01-68	
STATE OF FLORIDA,)	
	Appellee.))	

Opinion filed October 11, 2002.

Appeal from the Circuit Court for Polk County, Charles Lee Brown, Judge.

James Marion Moorman, Public Defender, Bartow, and Andrea Norgard, Assistant Public Defender, Bartow, for Appellant.

Robert A. Butterworth, Attorney General, Tallahassee, and Erica M. Raffel, Assistant Attorney General, Tampa, for Appellee.

PER CURIAM.

Affirmed.

STRINGER and DAVIS, JJ., Concur. BLUE, C.J., Concurs with opinion.

BLUE, Chief Judge, Concurring.

I concur with the majority's decision because the issue that supports a reversal was not preserved for appeal. The issue presented in this case is whether the trial court erred in denying the motion to suppress where the police officer improperly applied the "plain feel" doctrine. I agree with the majority and the trial court that the motion to suppress was properly denied on that basis. It appears to me, however, that the results of the search should have been suppressed because the search was conducted subsequent to an illegal detention. The record reveals that the officer lacked a well-founded suspicion that Mr. Harrell was committing a trespass, the purported justification for the initial stop and detention. See Slydell v. State, 792 So. 2d 667 (Fla. 4th DCA 2001). Had the illegal detention been presented to the trial court, preserved as an issue on appeal, and briefed in this appeal, a reversal would have been the appropriate disposition.