

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

STATE OF FLORIDA,)	
)	
Appellant,)	
)	
v.)	Case No. 2D04-1171
)	
RYAN DEAN MONROE,)	
)	
Appellee.)	
_____)	

Opinion filed December 22, 2004.

Appeal from the Circuit
Court for Polk County;
Susan W. Roberts, Judge.

Charles J. Crist, Jr., Attorney
General, Tallahassee, and
Susan D. Dunlevy, Assistant
Attorney General, Tampa, for
Appellant.

James Marion Moorman, Public
Defender, and Richard J. Sanders,
Assistant Public Defender, Bartow,
for Appellee.

WHATLEY, Judge.

Ryan Dean Monroe was charged by information with failing to return
leased property in violation of section 812.155, Florida Statutes (2001). The circuit
court dismissed the information after finding that the statute was unconstitutional

because it created a special law. The State appeals this order, and we reverse. This court has recently reversed identical orders and held that the statute is constitutional. State v. Gilbert, 880 So. 2d 1284 (Fla. 2d DCA 2004); State v. Rose, 876 So. 2d 1240 (Fla. 2d DCA 2004). Based on Gilbert and Rose, we reverse the order dismissing the information.

Reversed and remanded.

SALCINES and SILBERMAN, JJ., Concur.