

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JEFFREY LASTER,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D05-524

Opinion filed May 12, 2006.

Appeal from the Circuit Court for Hillsborough
County; Ralph C. Stoddard and Rex Martin
Barbas, Judges.

James Marion Moorman, Public Defender,
and Alisa Smith, Assistant Public Defender,
Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Katherine Coombs Cline,
Assistant Attorney General, Tampa, for
Appellee.

SALCINES, Judge.

Jeffrey Laster entered a plea of nolo contendere to the charge of delivery
of cocaine and reserved his right to appeal the denial of his dispositive motion to
suppress. We affirm.

We hold that the search of Laster's person was consistent with the requirements of the Fourth Amendment to the United States Constitution but was unlawful under the Florida Strip Search statute, section 901.211, Florida Statutes (2003). However, as we held in Jenkins v. State, 924 So. 2d 20 (Fla. 2d DCA 2006), Laster is not entitled to have the fruits of the search suppressed. Accordingly, we affirm the judgment, the sentence, and the denial of the motion to suppress.

As in Jenkins, we certify that our decision is in direct conflict with D.F. v. State, 682 So. 2d 149 (Fla. 4th DCA 1996).

Affirmed; conflict certified.

KELLY and WALLACE, JJ., Concur.