

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

HEATH BAGGETT, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 STATE OF FLORIDA, )  
 )  
 Appellee. )  
 )  
 )  
 )  
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CASE NO. 2D01-2291

Opinion filed July 18, 2003.

Appeal from the Circuit Court for Polk  
County; Randall G. McDonald, Judge.

James Marion Moorman, Public Defender,  
and Douglas S. Connor, Assistant Public  
Defender, Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Richard M. Fishkin,  
Assistant Attorney General, Tampa,  
for Appellee.

SILBERMAN, Judge.

Heath Baggett appeals his judgment and sentences for burglary of a dwelling and grand theft and contends that the trial court erred in denying his motion to suppress evidence. We agree and reverse because the evidence was obtained as the result of an illegal detention.