

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. 2D11-5360
	)	
SHANNON MILLER,	)	
	)	
Appellee.	)	
_____	)	

Opinion filed November 9, 2012.

Appeal from the Circuit Court for  
Manatee County; Scott M. Brownell,  
Judge.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Elba Caridad Martin-  
Schomaker, Assistant Attorney General,  
Tampa, for Appellant.

Joseph Campoli of Campoli Law Firm,  
Bradenton, for Appellee.

PER CURIAM.

Shannon Miller was charged with two counts of possession of a controlled substance and one count of possession of paraphernalia. The circuit court granted Miller's motion to dismiss the two possession of a controlled substance charges on the basis that section 893.13, Florida Statutes (2010), was unconstitutional. The State has

appealed the dismissal. We reverse and remand for further proceedings. See State v. Adkins, 96 So. 3d 412 (Fla. 2012).

Reversed and remanded.

NORTHCUTT, CASANUEVA, and DAVIS, JJ., Concur.