

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.)
)
 DANIEL GEORGE HOFFMAN,)
)
 Appellee.)
 _____)

Case No. 2D11-5615

Opinion filed October 19, 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.

James Marion Moorman, Public Defender,
and Matthew D. Bernstein, Assistant Public
Defender, Bartow, for Appellee.

PER CURIAM.

We reverse the trial court's dismissal of the charges against Daniel George Hoffman based on the constitutionality of section 893.13, Florida Statutes (2011). See State v. Adkins, 37 Fla. L. Weekly S449 (Fla. July 12, 2012).

Reversed and remanded.

NORTHCUTT, LaROSE, and CRENSHAW, JJ., Concur.