

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D. 2001

THE STATE OF FLORIDA,

**

Appellant,

**

CASE NO. 3D00-2575

vs.

**

LOWER
TRIBUNAL NO. 00-16648

DAVID ALEX SANDS,

**

Appellee.

**

Opinion filed December 5, 2001.

An Appeal from a nonfinal order of the Circuit Court for Dade County, Peter Lopez, Judge.

Robert A. Butterworth, Attorney General, and Fredericka Sands, Assistant Attorney General, for appellant.

Bennett H. Brummer, Public Defender, and Robert Kalter, Assistant Public Defender, for appellee.

Before JORGENSEN, LEVY, and GODERICH, JJ.

PER CURIAM.

The State appeals from a non-final order granting defendant's motion to suppress evidence of his possession of drugs and a concealed weapon. The trial court, relying on Shadler v. State, 761 So. 2d 279 (Fla. 2000), ruled that if an officer's reason for a

traffic stop is based on misinformation, any evidence found as a result of the stop must be suppressed. We affirm, as the facts of this case are indistinguishable from those in Shadler.

AFFIRMED.