

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2004

LEONEL BONILLA,	**	
Appellant,	**	
vs.	**	CASE NO. 3D02-2157
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 00-28260

Opinion filed February 4, 2004.

An Appeal from the Circuit Court for Dade County, Roberto Pineiro, Judge.

Bennett H. Brummer, Public Defender and Howard K. Blumberg, Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General and Barbara A. Zappi, Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., and GREEN, J. and BARKDULL, THOMAS H., JR., Senior Judge.

PER CURIAM.

On the authority of *San Martin v. State*, 820 So. 2d 403 (Fla. 3d DCA 2002), the conviction below is reversed and the cause remanded for a new trial before another judge.