

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

JAMES ROBERT ROBINSON,	**	
Appellant,	**	
vs.	**	CASE NO. 3D02-2560
CITY OF MIAMI, and EVELIO COBAS,	**	LOWER TRIBUNAL NO. 00-2728
Appellees.	**	

Opinion filed January 28, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Harold Solomon, Judge.

Clarke, Silverglate, Campbell, Williams & Montgomery, and
Hans Murphy, and Spencer T. Kuvin, for appellant.

Robert S. Glazier; and Alejandro Vilarello, City Attorney,
and Julie O. Bru, Assistant City Attorney, for appellees.

Before COPE, RAMIREZ, and WELLS, JJ.

PER CURIAM.

James Robert Robinson appeals the entry of an adverse final
judgment in his civil rights suit against appellees City of Miami

and Evelio Cobas, a City of Miami police officer. We affirm.

This case arises from Officer Cobas' arrest of Robinson after the officer issued Robinson a citation for jaywalking that Robinson initially refused to sign. The officer had nearly struck Robinson with his police vehicle as Robinson crossed an intersection that contained no pedestrian crossing signals.

Robinson argues that the officer did not have reasonable suspicion to stop him, and thus the officer improperly issued the citation and Robinson could lawfully resist his arrest without violence. Without reaching all of the issues Robinson presents, we conclude that Robinson's refusal to accept and sign the citation gave the officer probable cause to arrest him.

Section 318.14(2), Florida Statutes (1997), required Robinson to "sign and accept a citation indicating a promise to appear." Further, Robinson's refusal to accept and sign the citation constituted a criminal offense under section 318.14(3), Florida Statutes (1997).

We therefore affirm.