

Third District Court of Appeal

State of Florida, July Term, A.D. 2008

Opinion filed August 13, 2008.

Not final until disposition of timely filed motion for rehearing.

No. 3D04-1510

Lower Tribunal No. 03-341

The State of Florida,
Appellant,

vs.

Luis A. Perez-Garcia,
Appellee.

An Appeal from the Circuit Court for Monroe County, Luis M. Garcia,
Judge.

Bill McCollum, Attorney General, and Thomas C. Mielke, Assistant
Attorney General, for appellant.

Bennett H. Brummer, Public Defender, and Harvey J. Sepler, Assistant
Public Defender, for appellee.

Before WELLS, SHEPHERD, and CORTIÑAS, JJ.

ON REMAND

PER CURIAM.

This case is on remand from the Florida Supreme Court for reconsideration in light of Hilton v. State, 961 So. 2d 284 (Fla. 2007). See Perez-Garcia v. State, 983 So. 2d 578 (Fla. 2008), quashing 917 So. 2d 894 (Fla. 3d DCA 2005). As in State v. Howard, 983 So. 2d 671 (Fla. 1st DCA 2008), and D.E.M. v. State, No. 3D05-1208 (Fla. 3d DCA July 16, 2008), we think it appropriate also to remand the case to the trial court for further consideration consistent with Hilton, 961 So. 2d at 284.

Remanded.