

Third District Court of Appeal

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

Opinion filed July 16, 2008.

Not final until disposition of timely filed motion for rehearing.

No. 3D05-1208

Lower Tribunal No. 04-8484

D.E.M., a juvenile,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Mindy S. Glazer, Judge.

Bennett H. Brummer, Public Defender, and Robert Godfrey, Assistant Public Defender, for appellant.

Bill McCollum, Attorney General, and Jerome Smiley, Jr. and Maria T. Armas, Assistant Attorneys General, for appellee.

Before SHEPHERD and SUAREZ, JJ., and SCHWARTZ, Senior Judge.

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 *D.E.M. v. State*, 979 So. 2d 954 (Fla. 2008), quashing 916 So. 2d 65 (Fla. 3d DCA 2005). As in *State v. Howard*, ___ So. 2d ____ (Fla. 1st DCA Case no. 1D04-5295, opinion filed, June 2, 2008) [33 Fla. L. Weekly D1429], 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.