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IN THE SUPREME COURT OF FLORIDA

STATE OF FLORIDA,
Appellant,
vs.
MELVIN MULLET,
Appellee.

Case No. 64,608

APPELLEE'S BRIEF ON MERITS

LARRY BYRD, ESQ.
Ginsburg, Byrd, Jones & Dahlgaard
1844 Main Street
Sarasota, FL 33577
(813) 366-8100

COUNSEL FOR APPELLEE

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STATEMENT OF THE CASE AND FACTS

Appellee agrees to the Statement of the Case and Facts as set out in Appellant's Brief on Merits.

ARGUMENT

Appellee cannot in good faith dispute those arguments and those cases cited by Appellant in Appellant's Brief on Merits filed herein.

CONCLUSION

Appellee recognizes and accepts the fact that this Court in Carlton v. State, 9 F.L.W. 80 (March 9, 1984) has held that a search warrant which authorizes the seizure of "all controlled substances and other matters of (sic) things pertaining or relating to said possessions and sale of controlled substance violations of chapter 893, Florida Statutes" was sufficiently specific, and Appellee is unable to distinguish the wording of the search warrant in the instant case from that in Carlton.

Respectfully submitted,

GINSBURG, BYRD, JONES & DAHLGAARD

By 

LARRY BYRD
1844 Main Street
Sarasota, FL 33577
(813) 366-8100

Counsel for Appellee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S.

Mail to GARY O. WELCH, Assistant Attorney General, 1313 Tampa Street, Suite
804, Park Trammell Building, Tampa, FL 33602, on this the 12th day of
June, 1984.


OF COUNSEL FOR APPELLEE