

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

SHAWN ROSS MCPHERSON,

Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D09-951

STATE OF FLORIDA,

Appellee.

Opinion filed June 21, 2010.

An appeal from the Circuit Court for Franklin County.
James C. Hankinson, Judge.

Nancy A. Daniels, Public Defender, and Steven L. Seliger, Assistant Public
Defender, Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Michael T. Kennett, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

In this direct appeal from his criminal convictions, the appellant challenges
the denial of a motion to suppress evidence obtained pursuant to a search warrant.
Although the officers who submitted the affidavit in support of the warrant had

some conversation about the case with the judge who issued the warrant, the determination of probable cause was based on the affidavit as required under decisions such as Orr v. State, 382 So. 2d 860 (Fla. 1st DCA 1980). The motion to suppress was thus properly denied, and the appellant's convictions are therefore affirmed.

VAN NORTWICK, CLARK, and MARSTILLER, JJ., CONCUR.