

IN THE COUNTY COURT FOR THE  
TWELFTH JUDICIAL CIRCUIT  
MANATEE COUNTY, FLORIDA

STATE OF FLORIDA  
Plaintiff,

Case No. 2006 CT 006037

vs.

J. M. [REDACTED],  
Defendant.

RECORDED FOR RECORD  
FEB. 28, 2007  
2007 FEB 28 PM 4:01  
CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

**ORDER ON DEFENDANT'S MOTION TO SUPPRESS EVIDENCE**

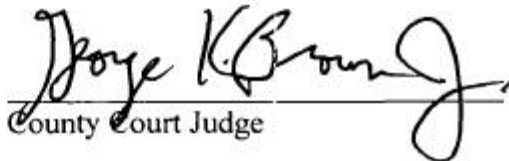
THIS CAUSE having come on for hearing upon defendant's Motion to Suppress Evidence, and the court having heard evidence at a plenary hearing held February 23, 2007, as well as the arguments of counsel and being otherwise advised in the premises, the court hereby finds:

1. The defendant was stopped on Gulf of Mexico Drive by Ptl. R.C. Thompson of the Longboat Key Police Department on October 31, 2006.
2. Ptl. Thompson identified the video of the stop of the defendant. He testified that prior to defendant's car passing him from behind, the officer had not observed any driving, but merely heard the bumping of defendant's car along the reflectors in the lane marker of the road. The officer further testified that the video reflected driving which he deemed to justify the stop of defendant's automobile.
3. The video does not reflect driving which constituted a traffic offense, and further does not reflect any driving which would give rise to a reasonable or founded suspicion that the driver was ill, injured or impaired.

4. Where there is no objective evidence of a founded suspicion of criminal activity, a mere unparticularized suspicion is insufficient to justify an investigative stop. Keeling v. State 929 So.2d 1169 (2<sup>nd</sup> DCA, 2006).

IT IS THEREFORE ORDERED AND ADJUDGED that the defendants Motion to Suppress Evidence is hereby GRANTED.

DONE AND ORDERED in Chambers at MANATEE County, Florida, this 28<sup>th</sup> day of Feb, 2006.

  
County Court Judge

road. The officer further testified that the video reflected driving which he deemed to justify the stop of defendant's automobile.

3. The video does not reflect driving which constituted a traffic offense, and further does not reflect any driving which would give rise to a reasonable or founded suspicion that the driver was ill, injured or impaired.