

**SIXTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA**

Case No. 6D2025-0679
Lower Tribunal No. 2023-CF-016133

MARK SERENA,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Lee County.
Andrew Marcus, Judge.

August 14, 2026

PER CURIAM.

AFFIRMED. *See United States v. Smith*, 531 F.3d 1261, 1264 (10th Cir. 2008) (“The warrant in this case . . . contained an accurate and adequate description of the property, even if it turned out to be broader than appropriate We therefore conclude that any overbreadth in the warrant’s description of the premises to be searched did not render the warrant invalid.”); *Harman v. Pollock*, 446 F.3d 1069, 1074 (10th Cir. 2006) (“[A]lthough the address given in the warrant was not the address of the garage residence, ‘the description of the premises to be searched . . .

still describe[d] the same piece of property.” (quoting *United States v. Gitcho*, 601 F.2d 369, 371-72 (8th Cir. 1979))); *see generally Clapsaddle v. State*, 545 So. 2d 946, 947 (Fla. 2d DCA 1989) (“The test to be applied in determining the validity of a search warrant is whether, when a search warrant is read in a common sense, not technical, way, it shows ample facts to establish probable cause and enables the searcher, with reasonable effort, to identify the place to be searched. The test is one of practical accuracy, not technical nicety.”).

TRAVER, C.J., and NARDELLA and MIZE, JJ., concur.

Jason T. Forman, of Law Offices of Jason T. Forman, P.A., Fort Lauderdale, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Marena S. Ramirez, Assistant Attorney General, Tampa, for Appellee.

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