

DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

DEMETRO L. BACON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

No. 2D2024-0848

June 27, 2025

Appeal from the Circuit Court for Manatee County; Stephen Mathew Whyte, Judge.

Blair Allen, Public Defender and Andrew Verblow, Assistant Public Defender, Bartow, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Lara E. Breslow, Assistant Attorney General, Tampa, for Appellee.

PER CURIAM.

Demetro Bacon appeals his judgment and sentence for possession of cocaine, possession of marijuana, possession of drug paraphernalia, and resisting an officer without violence. He entered a plea to the charges, reserving his right to appeal the denial of his dispositive motion

to suppress the contraband found in his car after he was stopped for a traffic violation. We affirm.

Bacon argues that the search of his car was unlawful. He contends that "[g]iven the current state of the law," the officer lacked probable cause to search his car based solely on the odor of marijuana. We need not decide this issue, however, because the smell of marijuana was only one of the factors relied upon to justify the search. Because the record shows that the totality of the circumstances provided the officer with sufficient probable cause to search Bacon's car, we affirm the trial court's denial of his motion to suppress. *See Hatcher v. State*, 342 So. 3d 807, 810 (Fla. 1st DCA 2022) (stating that courts must consider the totality of the circumstances in determining probable cause to search a vehicle).

Affirmed.

NORTHCUTT, KELLY, and MOE, JJ., Concur.

Opinion subject to revision prior to official publication.