

Third District Court of Appeal

State of Florida

Opinion filed October 1, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D25-1004
Lower Tribunal No. F24-18684

Lucas Gabriel Mercado,
Appellant,

vs.

State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Ellen Sue Venzer, Judge.

Carlos J. Martinez, Public Defender, and Maria Lauredo, Chief Assistant Public Defender, for appellant.

James Uthmeier, Attorney General, and Ryan Patrick Schelwat, Assistant Attorney General, for appellee.

Before GORDO, LOBREE and BOKOR, JJ.

PER CURIAM.

Affirmed. See State v. Teamer, 151 So. 3d 421, 430 (Fla. 2014) (“Under the exclusionary rule announced by the United States Supreme Court, the Fourth Amendment bars the use of evidence secured through an illegal search and seizure. Whether the exclusionary sanction is appropriately imposed in a particular case . . . is an issue separate from the question whether the Fourth Amendment rights of the party seeking to invoke the rule were violated by police conduct.” (citation modified)); State v. Walton, 565 So. 2d 381, 384 (Fla. 5th DCA 1990) (“The deputy was clearly going to search the duffle bag. Once he discovered contraband in the duffle bag, the deputy would then have had probable cause to search the blue suitcase. . . . The unchallenged facts establish sufficient ‘inevitability.’ It was purely fortuitous which piece of luggage the deputy searched first. He clearly was going to search them both.”).