

IN THE CIRCUIT COURT OF THE

NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

APPELLATE CASE NO: **06-53**

LOWER COURT CASE NO: 48-2006-CT-13574-O

STATE OF FLORIDA,

Appellant,

vs.

CHASE JEFFREY GREENE,

Appellee.

\_\_\_\_\_ /

Appeal from the County Court for Orange County,  
Florida, Mike Murphy, County Court Judge

Lawson Lamar, State Attorney, and Chris A. Lerner,  
Assistant State Attorney, for Appellant

Chris S. Boatright, Attorney at Law, for Appellee.

Before O’Kane, Komanski, and Thorpe, J.J.

PER CURIAM.

**FINAL ORDER AFFIRMING TRIAL COURT**

The State of Florida appeals the trial court’s Order Granting Motion to Suppress, rendered November 23, 2006. This Court has jurisdiction pursuant to Florida Rule of Appellate Procedure 9.030(c)(1).

Chase Jeffrey Greene was charged with driving under the influence. Officer Aaron Wilson observed Mr. Greene failing to maintain a single lane and traveling in excess of the speed limit. Upon making the stop, he observed that Mr. Greene’s breath emitted an obvious odor of an alcoholic beverage and his eyes were blood shot and watery. He asked Mr. Greene to perform field sobriety exercises and believed Mr.