

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2007

FRANKLIN MULDER,
Petitioner,

v.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES,
Respondent.

No. 4D06-3272

[January 17, 2007]

PER CURIAM.

We deny the petition for writ of certiorari on the authority of *Lescher v. Department of Highway Safety & Motor Vehicles*, No. 4D06-2291, 2006 WL 3733197, *1 (Fla. 4th DCA Dec. 20, 2006). As in *Lescher*, we certify the following question as one of great public importance:

Does the amendment to section 322.271(4), Florida Statutes, which eliminated hardship driver's licenses effective July 1, 2003, violate the prohibition against ex post facto laws as to persons who could have applied for a hardship license before the amendment became effective?

WARNER, GROSS and TAYLOR, JJ., concur.

* * *

Petition for writ of certiorari to the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Elizabeth T. Maass, Thomas H. Barkdull, III, and Edward H. Fine, Judges; L.T. Case No. 502006CA002842XXXXMB-AY.

Richard W. Springer and Catherine Mazzullo of Richard W. Springer, P.A., Palm Springs, for petitioner.

Judson M. Chapman, General Counsel, and Heather Rose Cramer, Assistant General Counsel, Lake Worth, for respondent.

Not final until disposition of timely filed motion for rehearing