

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2011

HAROLD GOVONI,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

No. 4D09-2371

[August 31, 2011]

ON REMAND FROM THE SUPREME COURT OF FLORIDA

PER CURIAM.

We reconsider on remand our opinion in *Govoni v. State*, 17 So. 3d 809 (Fla. 4th DCA 2009), which was quashed by the Florida Supreme Court following its decision in *Govoni v. State*, 36 Fla. L. Weekly S365 (Fla. July 7, 2011). As ordered by the Supreme Court, we apply its decision in *Dennis v. State*, 51 So. 3d 456 (Fla. 2010), approving *Peterson v. State*, 983 So. 2d 27 (Fla. 1st DCA 2008), to the facts of this case. Accordingly, we grant the petition for writ of prohibition and direct the trial court to follow the procedure set forth in *Dennis*.

Petition Granted.

GROSS, HAZOURI and DAMOORGIAN, JJ., concur.

* * *

Petition for writ of prohibition to the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Jonathan D. Gerber, Judge; L.T. Case No. 2008CF005204.

Paul Morris of Law Offices of Paul Morris, P.A., Miami, and William D. Matthewman of Seiden, Alder, Matthewman & Bloch, P.A., Coral Springs, for petitioner.

No appearance for respondent.

Not final until disposition of timely filed motion for rehearing.