

Supreme Court of Florida

No. SC10-2198

LAZARO FLORES,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[June 7, 2012]

PER CURIAM.

We initially accepted jurisdiction to review the decision of the Third District Court of Appeal in Flores v. State, 46 So. 3d 102 (Fla. 3d DCA 2010), based on express and direct conflict. See art. V, § 3(b)(3), Fla. Const. Upon further consideration, we have determined that jurisdiction was improvidently granted. Accordingly, we hereby discharge jurisdiction and dismiss this review proceeding.

It is so ordered.

CANADY, C.J., and PARIENTE, QUINCE, POLSTON, LABARGA, and
PERRY, JJ., concur.
LEWIS, J., dissents.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal - Direct
Conflict of Decisions

Third District - Case No. 3D09-1543

(Miami-Dade County)

Carlos J. Martinez, Public Defender, and Manuel Alvarez, Assistant Public
Defender, Eleventh Judicial Circuit, Miami, Florida,

for Petitioner

Pamela Jo Bondi, Attorney General, Tallahassee, Florida, and Richard Polin,
Bureau Chief and Lunar C. Alvey, Assistant Attorneys General, Miami, Florida,

for Respondent