

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2009*

**VINTON ALRICK GRAHAM,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D05-4893

[May 27, 2009]

***ON REMAND FROM THE FLORIDA SUPREME COURT***

WARNER, J.

After the supreme court granted review based upon our reliance on *Yisrael v. State*, 938 So. 2d 546 (Fla. 4th DCA 2006), *disapproved in part*, 993 So. 2d 952 (Fla. 2008), it granted the petition, quashing our decision and remanding for reconsideration upon application of *Yisrael*. That decision involved whether documents submitted by the Department of Corrections to establish a prisoner's release date from prison were admissible as exceptions to the hearsay rule. In quashing the opinion of this court, the supreme court noted that it did not have the full appellate record and could not determine for itself whether the documents submitted during Graham's sentencing complied with *Yisrael*.

We have examined the record. The affidavit of the DOC official and attached report, which the state introduced as evidence of Graham's prison release date, comply with *Yisrael*. We therefore affirm.<sup>1</sup>

HAZOURI and LEVINE, JJ., concur.

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<sup>1</sup> Although the supreme court addressed only the documentation issue, the majority of our opinion dealt with issues regarding Graham's conviction. We interpret the supreme court's opinion as quashing only the issue dealing with the *Yisrael* issue, and we have not reconsidered any other part of our original opinion.

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Krista Marx, Judge; L.T. Case No. 05002140 CFA02.

Carey Haughwout, Public Defender, and Elisabeth Porter, Assistant Public Defender, West Palm Beach, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Jeanine M. Germanowicz, Assistant Attorney General, West Palm Beach, for appellee.