

DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

MICHAEL JOHN PHILLIPS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

No. 2D22-758

December 28, 2022

Appeal from the Circuit Court for Hardee County; Michael E. Raiden,
Judge.

Michael John Phillips, pro se.

Ashley Moody, Attorney General, Tallahassee, and Jonathan P. Hurley,
Assistant Attorney General, Tampa, for Appellee.

**ON MOTION TO CERTIFY A QUESTION OF
GREAT PUBLIC IMPORTANCE**

PER CURIAM.

We grant the State's motion to certify a question of great public
importance.

The supreme court has discretionary jurisdiction to review
decisions of the district court that pass upon a question certified to be of
great public importance. Fla. R. App. P. 9.030(a)(2)(A)(v). As both the
majority and the dissent recognize, the decision in this case implicates

such a question. We therefore certify the following question to the supreme court:

HAS FLORIDA'S DOUBLE JEOPARDY JURISPRUDENCE SINCE *FASEMYER V. STATE*, 457 SO. 2D 1361, 1366 (FLA. 1984), EXPANDED DOUBLE JEOPARDY PROTECTIONS IN SENTENCING BEYOND WHAT IS CONSTITUTIONALLY REQUIRED?

KHOUZAM, ROTHSTEIN-YOUAKIM, and STARGEL, JJ., Concur.