

# Supreme Court of Florida

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No. SC14-916

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**MARLON FARON KELLY,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[July 2, 2015]

PER CURIAM.

We initially accepted discretionary review of the decision in Kelly v. State, 137 So. 3d 2 (Fla. 1st DCA 2014). Upon further consideration, we exercise our discretion and discharge jurisdiction. Accordingly, we hereby dismiss this review proceeding.

No motion for rehearing will be entertained by the Court. See Fla. R.App. P. 9.330(d)(2).

It is so ordered.

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

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

First District - Case No. 1D12-4795

(Escambia County)

Nancy Ann Daniels, Public Defender, and Mary Jane Lord, Assistant Public  
Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Pamela Jo Bondi, Attorney General, Trisha Meggs Pate, Bureau Chief, Heather  
Flanagan Ross, Assistant Attorney General, and Kathryn Lane, Assistant Attorney  
General, Tallahassee, Florida,

for Respondent