

Supreme Court of Florida

No. SC00-1130

STATE OF FLORIDA,
Petitioner,

vs.

FREDDRICK BROOKS,
Respondent.

[July 12, 2001]

LEWIS, J.

We have for review Brooks v. State, 764 So. 2d 648 (Fla. 4th DCA 2000).

We have jurisdiction. See art. V, § 3(b)(4), Fla. Const.

We vacate the decision of the district court and remand for reconsideration upon application of our decisions in Grant v. State, 770 So. 2d 655 (Fla. 2000); State v. Cotton, 769 So. 2d 345 (Fla. 2000); McKnight v. State, 769 So. 2d 1039 (Fla. 2000); and Ellis v. State, 762 So. 2d 912 (Fla. 2000).

It is so ordered.

WELLS, C.J., and SHAW, HARDING, ANSTEAD, and PARIENTE, JJ., concur.
QUINCE, J., dissents.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION, AND
IF FILED, DETERMINED.

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

Fourth District - Case No. 4D99-1017

(Broward County)

Robert A. Butterworth, Attorney General, Celia Terenzio, Bureau Chief, West Palm
Beach, and August A. Bonavita, Assistant Attorney General, West Palm Beach,
Florida,

for Petitioner

Carey Haughwout, Public Defender, and Allen J. DeWeese, Assistant Public
Defender, Fifteenth Judicial Circuit, West Palm Beach, Florida,

for Respondent