

# Supreme Court of Florida

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No. SC00-118

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**WILLIAM D. SIMON**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[May 17, 2001]

LEWIS, J.

We have for review Simon v. State, 753 So. 2d 95 (Fla. 2d DCA 1999). We have jurisdiction. See art. V, § 3(b)(3), 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 -  
Statutory Validity

Second District - Case No. 2D99-01176

(Pasco County)

James Marion Moorman, Public Defender, and Allyn M. Giambalvo, Assistant  
Public Defender, Tenth Judicial Circuit, Bartow, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, Robert J. Krauss, Senior Assistant  
Attorney General, Chief of Criminal Law, and Stephen D. Ake, Assistant Attorney  
General, Tampa, Florida,

for Respondent