

Supreme Court of Florida

No. SC00-1407

CLIFF VINCENT DARBIE,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[July 12, 2001]

LEWIS, J.

We have for review Darbie v. State, 763 So. 2d 1243 (Fla. 1st 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 Great Public Importance

First District - Case No. 1D98-3814

(Escambia County)

Nancy A. Daniels, Public Defender, and P. Douglas Brinkmeyer, Assistant Public
Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, and James W. Rogers, Senior Assistant
Attorney General, Tallahassee, Florida,

for Respondent