

Supreme Court of Florida

No. SC00-2433

STATE OF FLORIDA,
Petitioner,

vs.

THEODORE ROBINSON,
Respondent.

[November 1, 2001]

LEWIS, J.

We have for review Robinson v. State, 770 So. 2d 722 (Fla. 5th 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 of Decisions

Fifth District - Case No. 5D99-2818

(Orange County)

Robert A. Butterworth, Attorney General, and Wesley Heidt, Assistant Attorney
General, Daytona Beach, Florida,

for Petitioner

James B. Gibson, Public Defender, and A.S. Rogers, Assistant Public Defender,
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for Respondent