

Supreme Court of Florida

No. SC00-721

HAROLD EUGENE BROWN,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[March 15, 2001]

PER CURIAM.

We have for review a decision on the following question certified to be of great public importance:

DO CONVICTIONS FOR ATTEMPTED FIRST DEGREE MURDER AND FELONY CAUSING BODILY INJURY ON ACCOUNT OF THE SAME ACT AMOUNT TO DOUBLE JEOPARDY?

Brown v. State, 761 So. 2d 1135 (Fla. 1st DCA 2000). We have jurisdiction. Art.

V, § 3(b)(4), Fla. Const. For the reasons expressed in Gordon v. State, 26 Fla. L.

Weekly S90 (Fla. Feb. 22, 2001), we answer the certified question in the negative

and approve the First District's decision.

It is so ordered.

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

QUINCE, J., dissents with an opinion.

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

QUINCE, J., dissenting.

I dissent for the reasons stated in my dissent in Gordon v. State,

26 Fla. L. Weekly S90, S93-94 (Fla. Feb. 22, 2001).

Application for Review of the Decision of the District Court of Appeal -
Certified Great Public Importance

First District - Case No. 1D98-4335

(Duval County)

Nancy A. Daniels, Public Defender, and Richard M. Summa, Assistant Public
Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, James W. Rogers, Tallahassee Bureau
Chief, Criminal Appeals, and Edward C. Hill, Jr., Assistant Attorney General,
Tallahassee, Florida,

for Respondent