

# Supreme Court of Florida

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No. SC00-80

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**STATE OF FLORIDA,**  
Petitioner,

vs.

**DONALD L. THOMAS,**  
Respondent.

[July 5, 2001]

LEWIS, J.

We have for review Thomas v. State, 745 So. 2d 1119 (Fla. 5th 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 -  
Direct Conflict

Fifth District - Case No. 5D99-2834

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