

# Supreme Court of Florida

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No. SC95155

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**MICHAEL RIECHE,**  
Petitioner,

vs.

**LOUIS SPEARS, etc., et al.,**  
Respondents.

[April 5, 2001]

PARIENTE, J.

We have for review the decision in Rieche v. Spears, 727 So. 2d 409 (Fla. 3d DCA 1999), in which the Third District Court of Appeal certified conflict with Paul v. Jenne, 728 So. 2d 1167 (Fla. 4th DCA 1999). We have jurisdiction. See art. V, § 3(b)(4), Fla. Const. For the reasons expressed in State v. Paul, No. SC95265 (Fla. Mar. 29, 2001), we quash the district court's decision in this case.<sup>1</sup>

It is so ordered.

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<sup>1</sup>After being held without bond for just under three months, Rieche pled to a withhold of adjudication and one year of probation. Accordingly, no further proceedings are required.

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

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

Third District - Case No. 3D99-600

Bennett H. Brummer, Public Defender, and John E. Morrison, Assistant Public  
Defender, Eleventh Judicial Circuit, Miami, Florida,

for Petitioner

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for Respondents