

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT

JULY TERM, A.D. 2001

LUTHER LEON ALSTON,

\*\*

Appellant,

CASE NO. 3D01-1538

\*\*

\*\*

vs.

\*\*

THE STATE OF FLORIDA,

LOWER TRIBUNAL

\*\*

Appellee.

CASE NOS. F87-25951

F89-31551

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F89-44661

Opinion filed November 7, 2001.

An appeal from the Circuit Court of Dade County, Daryl E. Trawick, Judge.

John H. Lipinski, for appellant.

Robert A. Butterworth, Attorney General, and Paulette R. Taylor, Assistant Attorney General, for appellee.

Before COPE, LEVY, and FLETCHER, JJ.

PER CURIAM.

We affirm the lower court's order denying post-conviction relief. As in Major v. State, 790 So. 2d 550 (Fla. 3d DCA 2001), we certify that we have passed on the following question of great public importance:

WHETHER THE TRIAL COURT OR COUNSEL HAS A DUTY  
TO ADVISE A DEFENDANT THAT HIS PLEA IN A  
PENDING CASE MAY HAVE SENTENCE ENHANCING  
CONSEQUENCES IF THE DEFENDANT COMMITS A NEW  
CRIME IN THE FUTURE?

Affirmed; question certified.