

Supreme Court of Florida

No. 62,098

FREDDIE C. JONES, Appellant,

v.

STATE OF FLORIDA, Appellee.

[February 21, 1985]

PER CURIAM.

Reversed on authority of State v. Neil, 457 So.2d 481
(Fla. 1984), with directions to remand for a new trial.

It is so ordered.

BOYD, C.J., OVERTON, McDONALD, EHRLICH and SHAW, JJ., Concur
ADKINS and ALDERMAN, JJ., Dissent

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

An Appeal from the Circuit Court in and for Dade County,

Robert P. Kaye, Judge - Case No. 81-23460 (A)

Kathleen Phillips, Coral Gables, Florida, and Joel V. Lumer,
Miami, Florida, Special Assistant Public Defenders,

for Appellant

Jim Smith, Attorney General and Michael J. Neimand, Assistant
Attorney General, Miami, Florida,

for Appellee