

Supreme Court of Florida

No. 63,832

STATE OF FLORIDA, Petitioner,

vs.

THADDEUS TYRONE HOLLIDAY, ET AL., Respondents.

[March 7, 1985]

PER CURIAM.

We accepted jurisdiction based on the district court's certification of conflict. Art. V, § 3(b)(4), Fla. Const. We resolve the conflict in Cruz v. State, No. 63,451, released today, and accordingly the decision here is approved.

It is so ordered.

BOYD, C.J., ADKINS, OVERTON, McDONALD, EHRLICH and SHAW, JJ., Concur
ALDERMAN, 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 - Certified Direct Conflict

First District - Case Nos. AO-294, AO-325 & AO-326

Jim Smith, Attorney General and Barbara Ann Butler, Assistant
Attorney General, Jacksonville, Florida,

for Petitioner

Louis O. Frost, Jr., Public Defender and James Miller, Assistant
Public Defender, Jacksonville, Florida,

for Respondents