## Supreme Court of Florida

No. 65,140

STATE OF FLORIDA, Petitioner,

vs.

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PAUL LOWELL, Respondent.

[February 7, 1985]

PER CURIAM.

The decision of the district court of appeal is quashed on the authority of <u>State v. Bussey</u>, No. 64,966, 64,967, and 64,968 (Fla. Feb. 7, 1985). The case is remanded with directions to reconsider the appeal in light of that decision.

It is so ordered.

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

Fourth District - Case No. 83-566

Jim Smith, Attorney General and Marlyn J. Altman, Assistant Attorney General, West Palm Beach, Florida,

for Petitioner

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