

# Supreme Court of Florida

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No. 65,365

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ROBERT ARTHUR DELANA, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[January 24, 1985]

EHRlich, J.

Approved. State v. Jones, No. 64,082 (Fla. Dec. 20,  
1984).

ADKINS, OVERTON, ALDERMAN and McDONALD, JJ., Concur  
SHAW, J., Concur in result only  
BOYD, C.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 No. AV-131

Michael E. Allen, Public Defender and Charlene V. Edwards,  
Assistant Public Defender, Second Judicial Circuit, Tallahassee,  
Florida,

for Petitioner

Jim Smith, Attorney General and Henri C. Cawthon and Raymond L.  
Marky, Assistant Attorneys General, Tallahassee, Florida,

for Respondent