

Supreme Court of Florida

No. 66,389

JEFFREY SCOTT GAGE, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[December 5, 1985]

EHRlich, J.

We take jurisdiction of this case pursuant to article V, section 3(b)(5) of the Florida Constitution, because the district court certified a question to be of great public importance.

Gage v. State, 461 So.2d 202 (Fla. 1st DCA 1984). The question is identical to the certified question answered in the negative in Cochran v. State, No. 66,388 (Fla. Sept. 5, 1985).

Accordingly, we answer the certified question in the negative here, and approve the decision of the district court.*

It is so ordered.

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

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

* The lower court reversed the sentencing order because the record failed to show the trial court had a guideline score sheet before it at time of sentencing. The issue is not raised here, and we express no opinion on the point.

Application for Review of the Decision of the District Court
of Appeal - Certified Great Public Importance

First District - Case No. AY-50

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Florida,

for Petitioner

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